

Also, petition of banking committee of Chamber of Commerce of Buffalo, N. Y., against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. SHERWOOD: Petition of Polish Alliance of Toledo, Ohio, expressing sympathy for the Poles in Prussia—to the Committee on Foreign Affairs.

By Mr. SOUTHWICK: Petition of citizens of Cohoes, N. Y., for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Petition of Crown West Lodge, No. 135, I. O. B. A., of St. Paul, Minn., against legislation providing for an educational test, certificate of character, and money-in-the-pocket feature, as outlined in the Latimer or Gardner bill—to the Committee on Immigration and Naturalization.

Also, papers to accompany bill for relief of John J. Conroy and others—to the Committee on Public Buildings and Grounds.

By Mr. SULZER: Petition of City Club of Chicago, for forest reservations in White Mountains and Southern Appalachian Mountains (H. R. 10457)—to the Committee on Agriculture.

Also, petition of many citizens of New York City, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of citizens of New York City, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. TOU VELLE: Joint resolution by the Ohio general assembly, for establishment of a national bureau of health—to the Committee on Interstate and Foreign Commerce.

By Mr. WEEKS: Petition of citizens of Massachusetts, for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. WEISSE: Petition of national banks of Chicago, Ill., against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

SENATE.

TUESDAY, April 28, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

FOREST SERVICE EMPLOYEES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, stating, by the direction of the President and in response to a resolution of the 22d instant, that a statement showing in full the attendance of members of the Forest Service at meetings in conventions during the year 1907, with full details as called for by the resolution, is being prepared as rapidly as possible, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

RAILROAD DISCRIMINATIONS AND MONOPOLIES.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to joint resolution of the Senate approved March 7, 1906, a report relative to the investigation made by the Commission into the subject of railroad discriminations and monopolies in coal and oil, which was referred to the Committee on Interstate Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 171) providing for assistance to the people of the storm-swept States of Georgia, Alabama, Mississippi, and Louisiana, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the Central Trades and Labor Assembly of Corinth, N. Y., remonstrating against the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

Mr. FRYE presented a petition of sundry citizens of Bath, Me., and a petition of sundry citizens of Hall Quarry, Me., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented a petition of the Board of Trade of Lewiston, Me., praying for the passage of the so-called "Burnham rural parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Kennebec Local Union, No. 73, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Madison, Me., remonstrating against the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

Mr. PLATT presented petitions of sundry citizens and local labor organizations of Batavia, Buffalo, Brooklyn, Elmira, Cohoes, Ithaca, Lancaster, Corning, Depew, New Brighton, Newburgh, Olean, Oneonta, Poughkeepsie, Troy, Utica, and Schenectady, all in the State of New York, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented a petition of Twin City Council, No. 413, Knights of Columbus, of Tonawanda, N. Y., praying for the enactment of legislation making October 12 a national holiday, to be known as "Discovery Day," which was referred to the Committee on the Judiciary.

He also presented a petition of the Flushing Association, of Flushing, N. Y., and a petition of the Buffalo Lumber Exchange, of Buffalo, N. Y., praying for the enactment of legislation to conserve the natural resources of the United States, which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Royal Brewing Company, of Kansas City, Mo., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. DICK presented a petition of Franklin Lodge, No. 9, Brotherhood of Locomotive Firemen and Enginemen, of Columbus, Ohio, praying for the enactment of legislation to promote the safety of employees upon railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the National American Woman Suffrage Association, of Warren, Ohio, praying for the enactment of legislation to regulate the employment of child labor in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of the Ladies' Aid Society of Mechanicsburg, Ohio, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Ravenna, Ohio, praying for the passage of the so-called "rural parcels-post bill," and also for the establishment of postal savings banks, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Cleveland Paper Manufacturing Company, of Cleveland, Ohio, and a memorial of the American Paper and Pulp Association, of New York City, N. Y., remonstrating against the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which were referred to the Committee on Finance.

He also presented a petition of Central Labor Union of Toledo, Ohio, praying for the adoption of an amendment to the Constitution to prohibit the disfranchisement of citizens of the United States on account of sex, which was referred to the Select Committee on Woman Suffrage.

He also presented a petition of the National Brotherhood of Operative Potters, American Federation of Labor, of East Liverpool, Ohio, praying for the passage of the so-called "anti-injunction," "employers' liability," and "eight-hour" bills, which was referred to the Committee on the Judiciary.

He also presented a petition of Reinhold Richter Camp, No. 2, United Spanish War Veterans, of San Francisco, Cal., praying for the enactment of legislation to authorize the Secretary of War to issue discarded arms to camps of the United Spanish War Veterans, which was referred to the Committee on Military Affairs.

He also presented a petition of the Central Federated Union of New York City, N. Y., praying for the enactment of legislation providing for the construction of at least one of the proposed new battle ships at a Government navy-yard, which was ordered to lie on the table.

He also presented a petition of the Commercial Club of Joplin, Mo., praying for the enactment of legislation to establish a National Bureau of Mines, which was referred to the Committee on Mines and Mining.

He also presented a memorial of the Mutual Benefit Club of Merrill, Oreg., remonstrating against the passage of the so-called "Penrose bill," to exclude nonmailable periodicals from second-class mail privileges, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Tri-State Live Stock Dealers' Association, of Allen, Mich., praying for the enactment of legislation to require railroad companies engaged in interstate commerce to promptly furnish cars and other transportation facilities and to require the Interstate Commerce Commission to make rules and regulations with respect thereto, which was referred to the Committee on Interstate Commerce.

Mr. BRANDEGEE presented a petition of the Business Men's Association of Hartford, Conn., praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which was ordered to lie on the table.

Mr. WARNER presented the petition of Elizabeth J. Moss, of Kansas City, Mo., praying that she be granted an increase of pension, which was referred to the Committee on Pensions.

He also presented the petition of Isabella Chiles, of Kansas City, Mo., praying that she be granted an increase of pension, which was referred to the Committee on Pensions.

He also presented the petition of Lesette Vogler, of Sedalia, Mo., praying that she be granted a pension, which was referred to the Committee on Pensions.

He also presented the petition of Amanda Huntsman, of Liberty, Mo., praying that she be reimbursed for property taken from her by United States troops during the late civil war, which was referred to the Committee on Claims.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of Centerville, R. I., and a petition of the congregation of the Methodist Episcopal Church of Centerville, R. I., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. TALIAFERRO presented petitions of sundry citizens of St. Augustine, Jacksonville, Key West, Sanford, and Tampa, all in the State of Florida, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Florida, praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of sundry citizens of Meredith, N. H., praying for the passage of the so-called "rural parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of Pennsylvania, Colorado, Oregon, Iowa, Washington, and Maine, remonstrating against the enactment of legislation to protect the first day of the week as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a petition of Shamrock Club, of Washington, D. C., praying that an appropriation be made for the erection of a statue in Washington, D. C., to the memory of Gen. John I. Sullivan, which was referred to the Committee on the Library.

He also presented a memorial of Central Labor Union, of Berlin, N. H., remonstrating against the enactment of legislation to extend the right of naturalization, which was referred to the Committee on Immigration.

He also presented memorials of Local Union No. 9, of Franklin; of Local Union No. 23, of Berlin; of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers; of the Monadnock Paper Mills, of Bennington, and of the New Hampshire Federation of Labor, all in the State of New Hampshire; of the American Paper and Pulp Association, of New York City, and of the Frank Gilbert Paper Company, of Waterford, in the State of New York, remonstrating against the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which were referred to the Committee on Finance.

Mr. BEVERIDGE presented petitions of the Glass Bottle Blowers' Association of Muncie; of Cigarmakers' Union, No. 382, of Rushville; of the United Hatters' Local Union, No. 3, of Wabash; of the Glass Bottle Blowers' Association of In-

dianapolis; of the American Federation of Labor of Logansport; of the United Mine Workers of America of Sophia; of the Brotherhood of Blacksmiths of Princeton; of the Central Trades Council of Marion; of the United Brotherhood of Carpenters and Joiners of Bedford; of Cigarmakers' Union, No. 62, of Richmond, and of Cigarmakers' Union, No. 308, of Muncie, all in the State of Indiana, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. OVERMAN presented a petition of Local Union No. 226, International Brotherhood of Steam Boiler Makers of America, of Salisbury, N. C., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. BURKETT presented petitions of sundry labor organizations in the State of Nebraska, praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. BULKELEY presented a petition of Farmill Grudge, No. 130, Patrons of Husbandry, of Shelton, Conn., praying for the passage of the so-called "rural parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ANKENY presented a petition of Marine Engineers' Beneficial Association No. 38, of Seattle, Wash., praying that an appropriation be made for the improvement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

Mr. LODGE presented petitions of sundry citizens of Gloucester, Somerville, Lynn, Adams, Pittsfield, Milford, and Salem, all in the State of Massachusetts, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. FORAKER presented petitions of sundry trades councils of East Liverpool, Mansfield, Norwalk, Akron, Cincinnati, Steubenville, Piqua, Sebring, East Palestine, Salem, Springfield, Canton, Wellsville, Alliance, Columbus, Cleveland, Bucyrus, Clyde, Bridgeport, Sandusky, Painesville, Massillon, and Coshocton, all in the State of Ohio, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Delaware, Springfield, Milo, New Carlisle, Selma, Lynchburg, Gray, Columbus, Yellow Springs, Tremont City, Tontogany, Wheelersburg, Reynoldsburg, Tiffin, Decatur, Frankfort, Athens, Payne, Raccoon Island, Eaton, Lancaster, Hillsboro, Wooster, Reading, Lucas, Westboro, Jewett, Carroll, Troy, Georgetown, Marlboro, Circleville, Blanchester, Western Star, Leipsic, Millersburg, Urbana, Milford, Amella, Cleveland, Limaville, Lexington, Bellefontaine, Creston, Granville, Lorain, Lilly Chapel, Montgomery, Pleasant Grove, Madisonville, Lisbon, Wayne, Scioto, Wauseon, Waverly, New Vienna, Clifton, McArthur, Shelby, Villa, Defiance, Nellie, Clarksville, Omar, Piqua, Mansfield, South Charleston, Cedarville, Wilmington, Manchester, Xenia, Akron, Osborne, Forgy, Enon, Alliance, South Webster, McLuney, Lima, Good Hope, Summerside, Nelsonville, Dayton, Etna, Clarington, Buena Vista, Ripley, Ohio City, Belleville, Donnelsville, Sabina, Berlin Center, Hartsville, Norwood, Perryton, Harrison, Catawba, Jerome, Lewisburg, Crooksville, Gloucester, Utica, Sparta, Pleasant Ridge, Wellington, Rocky River, Zanesville, Cincinnati, Hartwell, Van Wert, Camba, Steubenville, Berea, West Lafayette, Black Run, Nora, Cresswell, Washington Court House, Danville, East Monroe, Sebring, Beloit, Oberlin, Beverly, Plain City, Flushing, Harrod, Newton Falls, Mount Sterling, Wakeman, Winterset, North Baltimore, Elmwood Place, Toledo, Proctorville, Greentown, Strongsville, Middleport, Adelphi, Youngstown, Worthington, Rushtown, Richmond, Nevada, Rockford, Marion, Gibsonburg, Bethany, Williamsport, Lockington, Cambridge, Shadyside, Portland, Tippecanoe City, Haydenville, Hoytville, Edon, Shepard, Frazeyburg, Caldwell, Waterloo, Morristown, Bellaire, Orrville, West Cairo, East Liberty, New Philadelphia, Toronto, Nashville, Lakeside, Wellsville, Bidwell, Bournville, Monroeville, Bremen, Commercial Point, Belpre, Doylestown, Barnesville, East Liverpool, Ashley, Bloomdale, Empire, Cleves, Bettsville, Mendon, McConnelsville, Newark, Blue Rock, Adamsville, Madison, Fayetteville, Ironton, Lithopolis, Hocking, Logan, Alliance, South Solon, Rempel, Bannock, Amherst, Washington, Canal Winchester, Rogers, Canton, Stryker, Canfield, Findlay, West Farmington, Marietta, Jackson, and London; also, citizens of the counties of Clark, Hancock, Greene, Highland, Brown,

Miami, Darke, and Stark; also, citizens of the Twelfth Congressional District, all in the State of Ohio, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were ordered to lie on the table.

PROTECTION OF SCHOOL BUILDINGS.

Mr. BURKETT. Mr. President, I wish to submit a report (No. 574) from the Committee on the District of Columbia.

Sometime ago the Senate passed a resolution directing the Committee on the District of Columbia to inquire into the condition of the public and private schools in reference to protection against fire, with direction to report by bill or otherwise what action should be taken for the protection of the children of the District in school buildings.

The committee has given the matter consideration and directed inquiries to the president of the Board of Commissioners of the District, the chief of the fire department, and the superintendent of schools, and received replies from them. The committee finds that the chief of the fire department, under the direction of the District authorities, is now making very complete and detailed investigations of every school building in the District. He has investigated so far about half of the buildings and has made reports on them. In accordance with that report, the District Commissioners and the school board made certain recommendations to the Committee on Appropriations during its consideration of the District of Columbia appropriation bill.

The Committee on the District of Columbia finds that the Committee on Appropriations has considered their recommendations favorably and has reported an item of \$261,000 for the specific purpose, as the proposed amendment states, of improving exits, replacing wooden stairways, fireproofing stairways, walls, and floors, replacing old fire ladders with improved fire escapes. Therefore the Committee on the District of Columbia reports this resolution back, together with some letters and documents that have been received from the District authorities, and asks that the committee be discharged from the further consideration of the resolution.

Mr. CULBERSON. I suggest to the Senator from Nebraska that this report might be printed as a Senate document. This is a matter of great importance, and I think it ought to be printed so that we may know what the Committee on the District of Columbia has seen fit to do with reference to this important inquiry. I make that suggestion to the Senator from Nebraska.

Mr. BURKETT. In accordance with the suggestion of the Senator from Texas, who introduced the resolution originally, I will ask that the report of the Committee on the District of Columbia be printed as a document and that it be referred to the Committee on Appropriations.

The VICE-PRESIDENT. Without objection, it is so ordered.

BELIEF OF STORM SUFFERERS.

Mr. BACON. There is a joint resolution which has come over from the House, and possibly the Senate might be willing to take it up at this time. It will take but a moment. It is an emergency matter in reference to some relief to the people who have been rendered homeless by the recent cyclone in the South.

Mr. ALDRICH. I have some morning business that I should like to transact.

The VICE-PRESIDENT. The reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred certain bills granting pensions and increase of pensions, submitted a report (No. 572) accompanied by a bill (S. 6845) granting pensions and increase of pensions to certain soldiers and sailors of the civil war, and to certain helpless and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

- S. 580. Marvin Boget.
- S. 941. Rollin A. Pratt.
- S. 1215. Charles Moyer.
- S. 1253. Fannie J. Sargent.
- S. 1413. Kate Spencer.
- S. 1632. Edward Seeland.
- S. 2438. Hugh T. Crockett.
- S. 2879. John P. Buckley, alias Newton J. Pilcher.
- S. 3257. Issacher R. Waggener.
- S. 3458. Robert W. Malcolm.
- S. 4537. Jason P. Carey.
- S. 5612. Constantin G. W. Bischoff.
- S. 6061. John W. Cullimore.
- S. 6064. Jefferson H. Montgomery.
- S. 6230. Thomas Townsend.

- S. 6433. Charles Rice.
- S. 6451. William Relph.
- S. 6516. Daniel Caswell.
- S. 6621. Emma A. Henry.
- S. 6704. John Worrel.
- S. 6743. Philip D. Gibson.
- S. 6744. Thomas W. Manchester.
- S. 6823. Margaret K. Hern.
- S. 6824. John Hancock.
- S. 6825. Samuel H. Hurst.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred certain bills granting pensions and increase of pensions, submitted a report (No. 573) accompanied by a bill (S. 6846) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the civil war, and to dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

- S. 1925. John McGuire.
- S. 4025. George W. Walter.
- S. 4852. Elizabeth Smith Tennent.
- S. 4901. Jason A. Pelton.
- S. 5059. Augusta Burchard.
- S. 5108. Emil Kuhlblank.
- S. 5229. Ellen Bernard Lee.
- S. 5387. Laura M. Schofield.
- S. 5717. Augusta L. B. Curry.
- S. 5740. Charles H. Roth.
- S. 5785. Willis J. Freeman.
- S. 6639. Bartolo Canova.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to whom was referred the bill (S. 6788) to amend sections 2586 and 2587 of the Revised Statutes of the United States, as amended by the acts of April 25, 1882, and August 28, 1890, asked to be discharged from its further consideration and that it be referred to the Committee on Commerce, which was agreed to.

Mr. BORAH, from the Committee on Claims, to whom was referred the bill (S. 5997) for the relief of Paul Butler, reported it without amendment.

Mr. TELLER, from the Committee on Finance, to whom was referred the bill (S. 3808) to refund certain excess duties paid upon importations of absinthe and kirschwasser from Switzerland between June 1, 1898, and December 5, 1898, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 4263) to amend an act entitled "An act to amend an act amending the act entitled 'An act to authorize the receipt of United States gold coin in exchange for gold bars,'" reported it with an amendment.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 5905) for the relief of the executors of the estate of Harold Brown, deceased, reported it without amendment.

Mr. OWEN, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 15641) for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes, reported it with amendments and submitted a report (No. 575) thereon.

ASSISTANT TREASURER AT SEATTLE, WASH.

Mr. ALDRICH. From the Committee on Finance I report back favorably, with amendments, the bill (S. 2932) providing for the appointment of an assistant treasurer of the United States at the city of Seattle, in the State of Washington.

Mr. PILES. I ask for the immediate consideration of the bill just reported by the Senator from Rhode Island.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, on page 1, line 11, after the word "services," to strike out the following words: "And a sufficient amount to pay said salary until the — day of —, 19—, is hereby appropriated;" in section 2, page 2, line 16, to strike out the following words: "And a sum sufficient to pay said salaries until the — day of —, 19—, is hereby appropriated;" in section 3, line 25, before the words "dollars," to insert "ten thousand," and, in the same line, after the word "annum," to strike out the following words: "And a sufficient sum to pay the rental therefor until the — day of —, 19—, is hereby appropriated."

So as to make the bill read:

Be it enacted, etc., That there shall be appointed an assistant treasurer of the United States to be located at the city of Seattle, in the State of Washington, who shall be appointed in like manner, for like time, and be subject to all the provisions of law to which other as-

sistant treasurers of the United States are subject. Said assistant treasurer shall receive a salary of \$4,500 per annum, to be paid quarterly at the Treasury of the United States, which salary shall be in full for all his services.

Sec. 2. That said assistant treasurer, with the approval of the Secretary of the Treasury, may appoint, in accordance with existing law, one cashier, who shall also act as vault clerk, at a salary of \$2,500 per annum; one paying clerk, at a salary of \$2,000 per annum; one receiving teller, at a salary of \$1,800 per annum; one clerk, at a salary of \$1,600 per annum; one clerk, at a salary of \$1,400 per annum; two clerks, at a salary of \$1,200 each per annum; one clerk, at a salary of \$1,000 per annum; one clerk and stenographer, at a salary of \$1,000 per annum; three watchmen, at a salary of \$840 each per annum; and one janitor, at a salary of \$720 per annum.

Sec. 3. That the Secretary of the Treasury shall procure at said city of Seattle suitable and convenient rooms, furniture, and fixtures for the use of the assistant treasurer herein authorized, and sufficient and secure fireproof vaults and safes for the keeping of the public moneys collected and deposited with him, at a rental not exceeding \$10,000 per annum. The said assistant treasurer shall have the custody and care of said rooms, vaults, and safes, respectively, and all of the public moneys deposited therein, and shall perform all the duties required to be performed by United States assistant treasurers in reference to the receipt, safe-keeping, transfer, and disbursements of such moneys.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATES OF REESE B. BRABSON AND WILLIAM CRUTCHFIELD.

Mr. FRAZIER, from the Committee on Claims reported the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the bill (S. 5658) for the relief of the heirs or the legal representatives of the estate of Reese B. Brabson, deceased, and the bill (S. 5659) for the relief of the estate of William Crutchfield, now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

EXTENSION OF STREET RAILWAY TRACKS TO UNION STATION.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 902) "An act authorizing certain extensions to be made in the lines of the Anacostia and Potomac River Railroad Company, the Washington Railway and Electric Company, the City and Suburban Railway of Washington, and the Capital Traction Company, in the District of Columbia, and for other purposes," having met, after full and free conference have been unable to agree.

J. H. GALLINGER,
CHESTER I. LONG,
THOMAS S. MARTIN,

Managers on the part of the Senate.

S. W. SMITH,
P. P. CAMPBELL,
T. W. SIMS.

Managers on the part of the House.

The report was agreed to.

Mr. GALLINGER. I move that the Senate further insist upon its disagreement to the amendments of the House of Representatives and agree to the further conference asked, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice-President appointed Mr. GALLINGER, Mr. LONG, and Mr. MARTIN as the conferees on the part of the Senate.

BILLS INTRODUCED.

Mr. DEPEW introduced a bill (S. 6847) for the relief of Marshall N. De Long, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 6848) to remove discriminations against American sailing vessels in the coasting trade, which was read twice by its title and referred to the Committee on Commerce.

He also introduced a bill (S. 6849) to remove the charge of desertion from the record of Alvah B. Doble, which was read twice by its title and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. ALLISON introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 6850) granting an increase of pension to Junius A. Parmalee; and

A bill (S. 6851) granting a pension to William J. Young.

Mr. GALLINGER introduced the following bills, which were severally read twice by their titles and referred to the Committee on the District of Columbia:

A bill (S. 6852) for the relief of Walter F. Rogers, executor of the estate of Sarah Edwards, late owner of lot No. 116, square No. 628, Washington, D. C., with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia; and

A bill (S. 6853) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes," approved February 25, 1897.

He also introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 6854) granting an increase of pension to William E. Dow;

A bill (S. 6855) granting a pension to Willie C. Wilmot; and

A bill (S. 6856) granting an increase of pension to George E. Garland.

He also (by request), introduced a bill (S. 6857) to provide for the retirement of certain letter carriers, and regulating the pay of the same, which was read twice by its title and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. NIXON introduced a bill (S. 6858) granting a pension to Goodwin Y. AtLee, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 6859) to amend an act approved June 30, 1906, entitled "An act creating a United States court for China, and prescribing the jurisdiction thereof, which was read twice by its title and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 6860) granting an increase of pension to Arthur R. Curtis, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 6861) granting an increase of pension to Thomas H. B. Vandegrift, which was read twice by its title and referred to the Committee on Pensions.

Mr. SMITH of Maryland introduced a bill (S. 6862) for the relief of the estate of Peter Barentine, which was read twice by its title and referred to the Committee on Claims.

Mr. FORAKER introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 6863) granting a pension to Emma Condon;

A bill (S. 6864) granting an increase of pension to William W. Blandin;

A bill (S. 6865) granting an increase of pension to John Cotner;

A bill (S. 6866) granting an increase of pension to George Claxton; and

A bill (S. 6867) granting a pension to Lawrence L. Barrick.

Mr. PAYNTER introduced a bill (S. 6868) for the construction of an addition to the United States post-office, public building, and court room in the city of Frankfort, State of Kentucky, and for repairs and alterations to the present building, which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

Mr. GUGGENHEIM introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 6869) granting an increase of pension to Francis E. Wheeler;

A bill (S. 6870) granting a pension to Cynthia A. Simons; and

A bill (S. 6871) granting an increase of pension to George H. Stone.

Mr. WARNER introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 6872) granting an increase of pension to James C. Settle;

A bill (S. 6873) granting an increase of pension to Darwin W. Perkins;

A bill (S. 6874) granting a pension to John J. Shanks;

A bill (S. 6875) granting a pension to Edward T. Sutton;

A bill (S. 6876) granting an increase of pension to James E. Twitchell; and

A bill (S. 6877) granting an increase of pension to Abram M. Casteel.

He also introduced a bill (S. 6878) granting a pension to John A. Pollard, which was read twice by its title and referred to the Committee on Pensions.

Mr. OVERMAN introduced the following bills, which were severally read twice by their titles and referred to the Committee on Claims:

A bill (S. 6879) for the relief of the Methodist Episcopal Church South, in Washington, N. C.;

A bill (S. 6880) for the relief of the Presbyterian Church, in Washington, N. C.; and

A bill (S. 6881) for the relief of the estate of Hardy H. Waters, deceased.

Mr. BACON introduced a bill (S. 6882) for the relief of Otto Seller, administrator of the estate of Carl Welland, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. FLINT introduced a bill (S. 6883) for the relief of A. G. Strain, which was read twice by its title and referred to the Committee on Claims.

Mr. ALDRICH introduced a bill (S. 6884) granting an increase of pension to Joseph Cook, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FRYE submitted an amendment proposing to appropriate \$200,000 for constructing, equipping, and outfitting, complete for service, a new steam tender for use of the inspector of the First Light-House District, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WETMORE submitted an amendment proposing to appropriate \$25,000 for the establishment of a fish-cultural station at some suitable point in the State of Rhode Island, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Fisheries and ordered to be printed.

He also submitted an amendment proposing to appropriate \$225,000 for the construction and equipping of a steam revenue cutter for service in Narragansett Bay and adjacent waters, with headquarters in Newport, R. I., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. DEPEW submitted an amendment proposing to appropriate \$80,000 for the construction of a steam vessel for the Revenue-Cutter Service for anchorage duty at the port of New York, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate \$10,000 for a light and fog-signal station on the outer end of the breakwater, entrance to the outer harbor, San Pedro, Cal., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$215,000 for a steam tender for use of the light-house inspector of the twelfth district, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$60,000 for establishing a light and fog-signal station at or near Four-Mile Creek, seacoast of California, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$100,000 for the enlargement, improvement, and equipment of the light-house depot at Yerba Buena Island, Cal., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. TALIAFERRO submitted an amendment proposing to appropriate \$250,000 for the construction of one steam revenue cutter of the first class for service in the waters of Key West, Fla., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. FULTON submitted an amendment proposing to appropriate \$250,000 for the construction of one steam revenue cutter of the first class for duty on the coast of Oregon, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PILES submitted an amendment proposing to appropriate \$30,000 for a light-house and fog-signal station on Eliza Island, Bellingham Bay, Wash., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the number of clerks at \$1,400 in the revenue and inspection branch, water department, District of Columbia, from one to two, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was ordered to lie on the table.

Mr. ANKENY submitted an amendment proposing to appropriate \$5,000 for the erection of a monument to mark the battlefield of Steptoe Butte, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GUGGENHEIM submitted an amendment proposing to appropriate \$75,000 for the transportation of silver dollars by registered mail or otherwise, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLINT submitted an amendment authorizing the Secretary of the Interior, upon the request of the Secretary of Agriculture, for the purpose of consolidating the national forests, to accept private lands in national forests in exchange for stumpage from the national forests of substantially equal value, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to appropriate \$10,000 for the construction of a launch for the use of the customs service at Los Angeles, Cal., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate \$60,000 for fitting up and adapting the upper hall and adjacent stairway in the Smithsonian building for the exhibition of the collections of the National Gallery of Art, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the purchase and delivery of materials, supplies, and equipment in the construction of the Isthmian Canal, etc., from \$11,250,000 to \$12,850,000, so as to include the purchase of two steamships of American registry for the use of the Isthmian Canal Commission, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS TO OMNIBUS CLAIMS BILL.

Mr. BRANDEGEE submitted an amendment intended to be proposed by him to House bill 15372, known as the "omnibus claims bill," which was ordered to lie on the table and be printed.

Mr. FRAZIER submitted an amendment intended to be proposed by him to House bill 15372, known as the "omnibus claims bill," which was ordered to lie on the table and be printed.

AMENDMENT TO OMNIBUS PUBLIC BUILDINGS BILL.

Mr. BEVERIDGE submitted an amendment proposing to appropriate \$80,000 for the erection of a post-office building at Peru, Ind., etc., intended to be proposed by him to the omnibus public buildings bill, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

SUSAN M. YEOMAN AND OTHERS.

Mr. McCUMBER. I ask that the bill (H. R. 1589) granting an increase of pension to Susan M. Yeoman, which was received from the House of Representatives a few days ago and referred to the Committee on Pensions with amendments, be printed, showing the amendments of the House to the amendment of the Senate.

The VICE-PRESIDENT. Without objection, it is so ordered.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I ask that the bill (H. R. 17874) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and to certain widows and dependent children of soldiers and sailors of said war, which was received from the House of Representatives a few days ago and referred to the Committee on Pensions with amendments, be printed, showing the amendments of the House to the amendment of the Senate.

The VICE-PRESIDENT. Without objection, it is so ordered.

LANDS IN WASHINGTON.

Mr. ANKENY. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior is hereby requested to inform the Senate at the earliest date practicable what steps he has taken, or proposes to take, to settle the adverse claims of the State

of Washington and the Puyallup tribe of Indians to certain tide lands situated below the meander line established by the public-land surveys along the shores of Commencement Bay, in the State of Washington; and further the nature of a certain contract between the trustees of the Puyallup Indians and Charles Bedford, of Tacoma, Wash., for conducting litigation in behalf of the Puyallup Indians to recover certain lands disposed of by the State of Washington as tide lands, but alleged to belong to said Indians.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. KEAN. I move to strike out "requested" and insert "directed."

The amendment was agreed to.

The resolution as amended was agreed to.

SUPPRESSION OF TRUSTS, ETC.

Mr. DAVIS submitted the following resolution, which was read:

Resolved, That the Committee on the Judiciary be, and the same is hereby, discharged from the further consideration of the bill (S. 100) to suppress pools, trusts, and combinations in trade and to provide penalties for violations of its provisions, and for other purposes.

Mr. DAVIS. I desire that the resolution may lie on the table, and I give notice that on Friday, after the morning business, I shall address the Senate on the subject embraced in the resolution.

The VICE-PRESIDENT. The resolution will lie on the table.

LANDS OF THE CHOCTAWS AND CHICKASAWS.

Mr. DAVIS. I submit a resolution and ask that it be read and lie on the table subject to call.

The resolution was read, as follows:

Whereas several thousand persons of Choctaw or Chickasaw Indian blood and descent have been unlawfully denied allotments of land out of the common lands of the Choctaws and Chickasaws, situated in the State of Oklahoma, by the Secretary of the Interior and other administrative officers; and

Whereas many of said persons so unlawfully denied their property rights are women and children who have been rendered homeless and destitute thereby; and

Whereas there are now remaining and unallotted approximately 2,982,000 acres of the common lands of said Choctaws and Chickasaws; and

Whereas the Secretary of the Interior has without authority of law arbitrarily withdrawn from allotment approximately 1,373,000 acres of said unallotted land, and has arbitrarily and in violation of law refused to permit any Choctaw or Chickasaw by blood to select any of said land as his or her allotment; and

Whereas said land was arbitrarily withdrawn from allotment for the purpose of including it in a forest reserve or game preserve, as shown by Senate Report No. 5013, Fifty-ninth Congress, second session; and

Whereas said land belongs exclusively to said Choctaws and Chickasaws, and neither the Secretary of the Interior nor the Government of the United States owns or claims to own said land; and

Whereas the Secretary of the Interior has requested the Congress of the United States to include in a bill now pending in the Senate a provision authorizing him or other persons to enter into negotiations with representatives of the State of Oklahoma looking to the sale of said 1,373,000 acres of said Choctaw and Chickasaw lands to the State of Oklahoma for inclusion in a State forest reserve or game preserve; and

Whereas should said scheme be consummated it would result in the denial of thousands of persons of Choctaw or Chickasaw Indian blood of allotments of land and thereby render them homeless and destitute; and

Whereas the Secretary of the Interior is charged by law with the duty of guarding and protecting the rights of said Choctaws and Chickasaws and has no lawful authority to refuse them allotments of land out of any of the unallotted common lands of said Indians and has no lawful authority to take their lands and include them in forest reserves or game preserves, and thereby render said Indians homeless and destitute: Therefore be it

Resolved, That the Secretary of the Interior be, and is hereby, directed to inform the Senate without delay:

1. By what authority or pretended authority of law said lands were withdrawn from allotment?

2. Whether said lands have been included in a forest reserve or game preserve; and, if so, by what authority or pretended authority of law?

3. Whether said Secretary or any of his officers, agents, or representatives are endeavoring to sell and dispose of said lands in order that the Indians may be prevented from securing said lands as homes?

4. Whether said lands are owned by said Indians exclusively, or whether the Government of the United States has or claims to have any interest therein?

5. Whether said Secretary intends to continue to prevent said Indians from selecting said lands as their allotments and homes?

6. Whether under existing law said Secretary has authority to sell and dispose of all unallotted common lands of the Choctaws and Chickasaws as soon as allotments have been made to all persons entitled to allotment?

7. Whether said Secretary proposes or intends to sell and dispose of all unallotted lands of said Choctaws and Chickasaws as soon as allotments have been made to all persons whose names appear on the rolls of citizens and freedmen of said nations, as approved by him, and to distribute the proceeds derived therefrom among said persons so enrolled to the exclusion of the blood citizens who have been unlawfully denied enrollment?

8. Whether the act approved June 28, 1898, under which said rolls were made, directed said Secretary to enroll as Indians, or citizens of the Choctaw or Chickasaw nations, or tribes, all persons of Choctaw or Chickasaw Indian blood who were bona fide citizens of said nations on the day said act was approved, regardless of any assertion of right to such enrollment by said persons?

9. Whether the names of all persons of Choctaw or Chickasaw Indian blood appear on the rolls of said Indians as approved by him, and whether said rolls so approved are being used as a basis for the distribution of all the common property of said Choctaws and Chickasaws?

10. Whether said Secretary proposes or intends to deprive all persons of their distributive share of said common property who are of Choctaw or Chickasaw Indian blood, and who have been unlawfully denied enrollment as citizens or Indians of said tribe, and thereby denied allotments of land as such through the negligence, mistake, or fraud committed by administrative officers charged by law with the duty of making said rolls?

11. Why said Secretary has not reported the true facts to Congress with reference to the rights of those persons who have been unlawfully denied enrollment as blood citizens of said tribes, in order that Congress might provide for the correct enrollment of said blood citizens?

12. Whether persons who are practically full-blood Indians or who are possessed of Indian blood and as much entitled under the law to allotments of 320 acres of the average allottable lands have been enrolled as freedmen or negroes, and as such are entitled to only 40 acres of the average allottable lands of said tribes; and, whether said Secretary has transmitted to Congress proposed bills and recommended the enactment of same into law, which declare the enrollment records showing the enrollment of said Indians as freedmen or negroes final and conclusive as to their blood, and has thereby attempted to induce Congress to enact legislation designated for the purpose of legalizing said unlawful enrollments, and why he did not inform Congress of the real object sought to be accomplished by said proposed bill.

Mr. DAVIS. I ask that the Secretary read the printed document that is also filed with the resolution as a part of it.

The VICE-PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read the accompanying statement, being the concluding paragraphs of the report submitted by Mr. CLARK of Wyoming, January 16, 1907, from the Select Committee to Investigate Matters Connected with Affairs in the Indian Territory, as follows:

WITHDRAWAL OF LANDS FROM ALLOTMENT.

Many earnest and insistent protests have been received against the withdrawal from allotment by the Secretary of the Interior of a large body of land in the Choctaw, Chickasaw, and Cherokee nations. The original withdrawal was of about 4,000,000 acres and also suspended further action as to perfecting complete individual title to all allotments already made within the area withdrawn. This was subsequently modified by rescinding the order as to allotments already made and by cutting down the area about one-half.

The committee has carefully considered this matter and is of the opinion that the order of withdrawal was without authority of law. The agreement with the tribes and the act of Congress approved July 1, 1902, authorized and directed the allotments to be made as soon as practicable, and that law, the committee believes, can not be set aside, impeded, or modified except by act of Congress repealing or changing the original statute.

The Secretary of the Interior advised your committee that he had made this order of withdrawal upon the request of the Secretary of Agriculture, who contemplated establishing a forest reservation therein if Congress should authorize the purchase by the Government of the land from the Indians for that purpose; but the committee is of opinion that, whatever may have been the purpose or object of the Secretary of the Interior, he had no authority under the law to make the order of withdrawal.

The investigation made by the committee has satisfied it that the general situation in the Indian Territory, so far as concerns the relationship between the Government of the United States and the several Indian tribes and the individual members thereof is such as to demand as speedy action by Congress as may be consistent with the magnitude and multitude of the interests involved.

In view of this fact the committee submits this partial report, and at an early day, if permitted by the Senate, will submit to the Senate its conclusions upon other matters herein referred to, which have been subjects of its inquiries.

Respectfully submitted,

C. D. CLARK.
CHESTER I. LONG.
FRANK B. BRANDEGER,
H. M. TELLER.
W. A. CLARK.

The VICE-PRESIDENT. The Senator from Arkansas asks that the resolution may lie on the table subject to his call. Is there objection to the request? The Chair hears none, and it is so ordered.

BUILDINGS AND STRUCTURAL MATERIAL AT SAN FRANCISCO.

Mr. PERKINS. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, etc., That if not inconsistent with the good of the public service, the Secretary of the Interior be requested to transmit to the Senate for its information a statement of the results of the Department's investigations into the effects of earthquake and fire at San Francisco upon buildings and structural materials.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. BACON. I have no objection to its consideration, but I wish to call the attention of the Senator from California to the fact that the phraseology of the resolution is not in accord with that which is usually adopted in seeking information from the Departments. The Departments are simply by the Senate directed to furnish such information as the Senate desires.

Mr. PERKINS. I am willing to change the phraseology from the word "requested" to the word "directed."

Mr. BACON. It is not simply the word "requested," but the Senator now predicates the direction upon the contingency that it is not incompatible with the public interest, which is not usual except when a request is addressed to the President.

In the case of the President it is always a request and always predicated upon the contingency that it is not inconsistent with the good of the public service.

Mr. PERKINS. I will accept the suggestion of my friend from Georgia, and strike out the words "not inconsistent with the good of the public service;" also striking out the word "requested" and inserting the word "directed."

The VICE-PRESIDENT. The resolution will be so modified. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

SPECIAL MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The VICE-PRESIDENT. The special message from the President of the United States, which the Chair laid before the Senate yesterday evening just prior to the adjournment and which, owing to the lateness of the hour, was not read, will now be read by the Secretary.

The Secretary read the special message, as follows:

To the Senate and House of Representatives:

In my message to the Congress of March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible, but they do represent what I believe can now be done if an earnest effort toward this end is made.

Since I wrote this message an employers' liability law has been enacted which, it is true, comes short of what ought to have been done, but which does represent a real advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employees who suffer injury while engaged in the public service; that there will be a child-labor law enacted for the District of Columbia; that the Waterways Commission will be continued with sufficient financial support to increase the effectiveness of its preparatory work; that steps will be taken to provide for such investigation into tariff conditions, by the appropriate committee of the House of Representatives and by Government experts in the Executive service, as will secure the full information necessary for immediate action in revising the tariff at the hands of the Congress elected next fall; and finally, that financial legislation will be enacted providing for temporary measures for meeting any trouble that may arise in the next year or two, and for a commission of experts who shall thoroughly investigate the whole matter, both here and in the great commercial countries abroad, so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis. It is much to be wished that one feature of the financial legislation of this session should be the establishment of postal savings banks. Ample appropriation should be made to enable the Interstate Commerce Commission to carry out the very important feature of the Hepburn law which gives to the Commission supervision and control over the accounting systems of the railways. Failure to provide means which will enable the Commission to examine the books of the railways would amount to an attack on the law at its most vital point, and would benefit, as nothing else could benefit, those railways which are corruptly or incompetently managed. Forest reserves should be established throughout the Appalachian Mountain region wherever it can be shown that they will have a direct and real connection with the conservation and improvement of navigable rivers.

There seems, however, much doubt about two of the measures I have recommended; the measure to do away with abuse of the power of injunction and the measure or group of measures to strengthen and render both more efficient and more wise the control by the National Government over the great corporations doing an interstate business.

First, as to the power of injunction and of punishment for contempt. In contempt cases, save where immediate action is imperative, the trial should be before another judge. As regards injunctions, some such legislation as that I have previously recommended should be enacted. They are blind who fail to realize the extreme bitterness caused among large bodies of worthy citizens by the use that has been repeatedly made of the power of injunction in labor disputes. Those in whose judgment we have most right to trust are of the opinion that while much of the complaint against the use of the injunction is unwarranted, yet that it is unquestionably true that in a number of cases this power has been used to the grave injury of the rights of laboring men. I ask that it be limited in some such way as that I have already pointed out in my previous messages, for the very reason that I do not wish to see an embittered effort made to destroy it. It is unwise stubbornly to refuse to provide against a repetition of the abuses which have caused

the present unrest. In a democracy like ours it is idle to expect permanently to thwart the determination of the great body of our citizens. It may be and often is the highest duty of a court, a legislature, or an executive, to resist and defy a gust of popular passion; and most certainly no public servant, whatever may be the consequences to himself, should yield to what he thinks wrong. But in a question which is emphatically one of public policy, the policy which the public demands is sure in the end to be adopted; and a persistent refusal to grant to a large portion of our people what is right is only too apt in the end to result in causing such irritation that when the right is obtained it is obtained in the course of a movement so ill considered and violent as to be accompanied by much that is wrong. The process of injunction in labor disputes, as well as where State laws are involved, should be used sparingly, and only when there is the clearest necessity for it; but it is one so necessary to the efficient performance of duty by the court on behalf of the nation that it is in the highest degree to be regretted that it should be liable to reckless use; for this reckless use tends to make honest men desire so to hamper its execution as to destroy its usefulness.

Every farsighted patriot should protest first of all against the growth in this country of that evil thing which is called "class consciousness." The demagogue, the sinister or foolish socialist visionary who strives to arouse this feeling of class consciousness in our working people, does a foul and evil thing; for he is no true American, he is no self-respecting citizen of this Republic, he forfeits his right to stand with manly self-reliance on a footing of entire equality with all other citizens, who bows to envy and greed, who erects the doctrine of class hatred into a shibboleth, who substitutes loyalty to men of a particular status, whether rich or poor, for loyalty to those eternal and immutable principles of righteousness which bid us treat each man on his worth as a man without regard to his wealth or his poverty. But evil though the influence of these demagogues and visionaries is, it is no worse in its consequences than the influence exercised by the man of great wealth or the man of power and position in the industrial world, who by his lack of sympathy with, and lack of understanding of, still more by any exhibition of uncompromising hostility to, the millions of our working people, tends to unite them against their fellow-Americans who are better off in this world's goods. It is a bad thing to teach our working people that men of means, that men who have the largest proportion of the substantial comforts of life, are necessarily greedy, grasping, and cold-hearted, and that they unjustly demand and appropriate more than their share of the substance of the many. Stern condemnation should be visited upon demagogue and visionary who teach this untruth, and even sterner upon those capitalists who are in truth grasping and greedy and brutally disregarding of the rights of others, and who by their actions teach the dreadful lesson far more effectively than any mere preacher of unrest. A "class grievance" left too long without remedy breeds "class consciousness" and therefore class resentment.

The strengthening of the antitrust law is demanded upon both moral and economic grounds. Our purpose in strengthening it is to secure more effective control by the National Government over the business use of the vast masses of individual, and especially of corporate, wealth, which at the present time monopolize most of the interstate business of the country; and we believe the control can best be exercised by preventing the growth of abuses, rather than merely by trying to destroy them when they have already grown. In the highest sense of the word this movement for thorough control of the business use of this great wealth is conservative. We are trying to steer a safe middle course, which alone can save us from a plutocratic class government on the one hand, or a socialistic class government on the other, either of which would be fraught with disaster to our free institutions, State and National. We are trying to avoid alike the evils which would flow from Government ownership of the public utilities by which interstate commerce is chiefly carried on, and the evils which flow from the riot and chaos of unrestricted individualism. There is grave danger to our free institutions in the corrupting influence exercised by great wealth suddenly concentrated in the hands of the few. We should in sane manner try to remedy this danger, in spite of the sullen opposition of these few very powerful men, and with the full purpose to protect them in all their rights at the very time that we require them to deal rightfully with others.

When with steam and electricity modern business conditions went through the astounding revolution which in this country began over half a century ago, there was at first much hesitation as to what particular governmental agency should be used to grapple with the new conditions. At almost the same time, about twenty years since, the effort was

made to control combinations by regulating them through the Interstate Commerce Commission and to abolish them by means of the antitrust act, the two remedies therefore being in part mutually incompatible. The interstate-commerce law has produced admirable results, especially since it was strengthened by the Hepburn law two years ago. The antitrust law, though it worked some good, because anything is better than anarchy and complete absence of regulation, nevertheless has proved in many respects not merely inadequate but mischievous. Twenty years ago the misuse of corporate power had produced almost every conceivable form of abuse and had worked the gravest injury to business morality and the public conscience. For a long time Federal regulation of interstate commerce had been purely negative, the National judiciary merely acting in isolated cases to restrain the State from exercising a power which it was clearly unconstitutional as well as unwise for them to exercise, but which nevertheless the National Government itself failed to exercise. Thus the corporations monopolizing commerce made the law for themselves, State power and common law being inadequate to accomplish any effective regulation, and the national power not yet having been put forth. The result was mischievous in the extreme, and only shortsighted and utter failure to appreciate the grossness of the evils to which the lack of regulation gave rise, can excuse the well-meaning persons who now desire to abolish the antitrust law outright or to amend it by simply condemning "unreasonable" combinations.

Power should unquestionably be lodged somewhere in the Executive branch of the Government to permit combinations which will further the public interest; but it must always be remembered that, as regards the great and wealthy combinations through which most of the interstate business of to-day is done, the burden of proof should be on them to show that they have a right to exist. No judicial tribunal has the knowledge or the experience to determine in the first place whether a given combination is advisable or necessary in the interest of the public. Some body, whether a commission, or a bureau under the Department of Commerce and Labor, should be given this power. My personal belief is that ultimately we shall have to adopt a National incorporation law, though I am well aware that this may be impossible at present. Over the actions of the Executive body in which the power is placed the courts should possess merely a power of review analogous to that obtaining in connection with the work of the Interstate Commerce Commission at present. To confer this power would not be a leap in the dark; it would merely be to carry still further the theory of effective Governmental control of corporations which was responsible for the creation of the Interstate Commerce Commission and for the enlargement of its powers, and for the creation of the Bureau of Corporations. The interstate commerce legislation has worked admirably. It has benefited the public; it has benefited honestly managed and wisely conducted railroads; and in spite of the fact that the business of the country has enormously increased, the value of this Federal legislation has been shown by the way in which it has enabled the Federal Government to correct the most pronounced of the great and varied abuses which existed in the business world twenty years ago—while the many abuses that still remain emphasize the need of further and more thoroughgoing legislation. Similarly, the Bureau of Corporations has amply justified its creation. In other words, it is clear that the principles employed to remedy the great evils in the business world have worked well, and they can now be employed to correct the evils that further commercial growth has brought more prominently to the surface. The powers and scope of the Interstate Commerce Commission, and of any similar body, such as the Bureau of Corporations, which has to deal with the matter in hand, should be greatly enlarged so as to meet the requirements of the present day.

The decisions of the Supreme Court in the Minnesota and North Carolina cases illustrate how impossible is a dual control of National commerce. The States can not control it. All they can do is to control intrastate commerce, and this now forms but a small fraction of the commerce carried by the railroads through each State. Actual experience has shown that the effort at State control is sure to be nullified in one way or another sooner or later. The Nation alone can act with effectiveness and wisdom; it should have the control both of the business and of the agent by which the business is done, for any attempt to separate this control must result in grotesque absurdity. This means that we must rely upon National legislation to prevent the commercial abuses that now exist and the others that are sure to arise unless some efficient Governmental body has adequate power of control over them. At present the failure of the Congress to utilize and exercise the great powers conferred upon it as regards interstate commerce leaves this

commerce to be regulated, not by the State nor yet by the Congress, but by the occasional and necessarily inadequate and one-sided action of the Federal judiciary. However upright and able a court is, it can not act constructively; it can only act negatively or destructively, as an agency of government; and this means that the courts are and must always be unable to deal effectively with a problem like the present, which requires constructive action. A court can decide what is faulty, but it has no power to make better what it thus finds to be faulty. There should be an efficient Executive body created with power enough to correct abuses and scope enough to work out the complex problems that this great country has developed. It is not sufficient objection to say that such a body may be guilty of unwisdom or of abuses. Any Governmental body, whether a court or a commission, whether executive, legislative or judicial, if given power enough to enable it to do effective work for good, must also inevitably receive enough power to make it possibly effective for evil.

Therefore, it is clear that (unless a National incorporation law can be forthwith enacted) some body or bodies in the Executive service should be given power to pass upon any combination or agreement in relation to interstate commerce, and every such combination or agreement not thus approved should be treated as in violation of law and prosecuted accordingly. The issuance of the securities of any combination doing interstate business should be under the supervision of the National Government.

A strong effort has been made to have labor organizations completely exempted from any of the operations of this law, whether or not their acts are in restraint of trade. Such exception would in all probability make the bill unconstitutional, and the Legislature has no more right to pass a bill without regard to whether it is constitutional than the courts have lightly to declare unconstitutional a law which the Legislature has solemnly enacted. The responsibility is as great on the one side as on the other, and an abuse of power by the Legislature in one direction is equally to be condemned with an abuse of power by the courts in the other direction. It is not possible wholly to except labor organizations from the workings of this law, and they who insist upon totally excepting them are merely providing that their status shall be kept wholly unchanged, and that they shall continue to be exposed to the action which they now dread. Obviously, an organization not formed for profit should not be required to furnish statistics in any way as complete as those furnished by organizations for profit. Moreover, so far as labor is engaged in production only, its claims to be exempted from the antitrust law are sound. This would substantially cover the right of laborers to combine, to strike peaceably, and to enter into trade agreements with the employers. But when labor undertakes in a wrongful manner to prevent the distribution and sale of the products of labor, as by certain forms of the boycott, it has left the field of production, and its action may plainly be in restraint of interstate trade, and must necessarily be subject to inquiry, exactly as in the case of any other combination for the same purpose, so as to determine whether such action is contrary to sound public policy. The heartiest encouragement should be given to the wageworkers to form labor unions and to enter into agreements with their employers; and their right to strike, so long as they act peaceably, must be preserved. But we should sanction neither a boycott nor a blacklist which would be illegal at common law.

The measures I advocate are in the interest both of decent corporations and of law-abiding labor unions. They are, moreover, preeminently in the interest of the public, for in my judgment the American people have definitely made up their minds that the days of the reign of the great law-defying and law-evading corporations are over, and that from this time on the mighty organizations of capital necessary for the transaction of business under modern conditions, while encouraged so long as they act honestly and in the interest of the general public, are to be subjected to careful supervision and regulation of a kind so effective as to insure their acting in the interest of the people as a whole.

Allegations are often made to the effect that there is no real need for these laws looking to the more effective control of the great corporations, upon the ground that they will do their work well without such control. I call your attention to the accompanying copy of a report just submitted by Mr. Nathan Matthews, chairman of the finance commission, to the mayor and city council of Boston, relating to certain evil practices of various corporations which have been bidders for furnishing to the city iron and steel. This report shows that there have been extensive combinations formed among the various corporations which have business with the city of Boston, including,

for instance, a carefully planned combination embracing practically all the firms and corporations engaged in structural steel work in New England. This combination included substantially all the local concerns, and many of the largest corporations in the United States, engaged in manufacturing or furnishing structural steel for use in any part of New England; it affected the States, the cities and towns, the railroads and street railways, and generally all persons having occasion to use iron or steel for any purpose in that section of the country. As regards the city of Boston, the combination resulted in parceling out the work by collusive bids, plainly dishonest, and supported by false affirmations. In its conclusion, the commission recommends as follows:

Comment on the moral meaning of these methods and transactions would seem superfluous, but as they were defended at the public hearings of the Commission and asserted to be common and entirely proper incidents of business life, and as these practices have been freely resorted to by some of the largest industrial corporations that the world has ever known, the Commission deems it proper to record its own opinion.

The Commission dislikes to believe that these practices are, as alleged, established by the general custom of the business community; and this defense itself, if unchallenged, amounts to a grave accusation against the honesty of present business methods.

To answer an invitation for public or private work by sending in what purports to be genuine bids, but what in reality are collusive figures purposely made higher than the bid which is known will be submitted by one of the supposed competitors, is an act of plain dishonesty.

To support these misrepresentations by false affirmations in writing that the bids are submitted in good faith and without fraud, collusion, or connection with any other bidder is a positive and deliberate fraud; the successful bidder in the competition is guilty of obtaining money by false pretenses, and the others have made themselves parties to a conspiracy clearly unlawful at the common law.

Where, as in the case of the "Boston Agreement," a number of the most important manufacturers and dealers in structural steel in this country, including the American Bridge Company, one of the constituent members of the United States Steel Corporation, have combined together for the purpose of raising prices by means of collusive bids and false representations, their conduct is not only repugnant to common honesty, but is plainly obnoxious to the Federal statute known as the Sherman or antitrust law.

The Commission believes that an example should be made of these men, and that the members of the "Boston Agreement," or at least all those who in October and November, 1905, entered in the fraudulent competitions for the Cove street draw span and the Brookline street bridge should be brought before a Federal grand jury for violation of the act of Congress of July 2, 1890. The three years' limitation for participation in these transactions has not yet elapsed, and the evidence obtained by the Commission is so complete that there should be no difficulty in the Government's securing a conviction in this case.

I have submitted this report to the Department of Justice for thorough investigation and for action if action shall prove practicable.

Surely such a state of affairs as that above set forth emphasizes the need of further Federal legislation, not merely because of the material benefits such legislation will secure, but above all because this Federal action should be part, and a large part, of the campaign to waken our people as a whole to a lively and effective condemnation of the low standard of morality implied in such conduct on the part of great business concerns. The first duty of every man is to provide a livelihood for himself and for those dependent upon him; it is from every standpoint desirable that each of our citizens should endeavor by hard work and honorable methods to secure for him and his such a competence as will carry with it the opportunity to enjoy in reasonable fashion the comforts and refinements of life; and, furthermore, the man of great business ability who obtains a fortune in upright fashion inevitably in so doing confers a benefit upon the community as a whole and is entitled to reward, to respect, and to admiration. But among the many kinds of evil, social, industrial, and political, which it is our duty as a nation sternly to combat, there is none at the same time more base and more dangerous than the greed which treats the plain and simple rules of honesty with cynical contempt if they interfere with making a profit; and as a nation we can not be held guiltless if we condone such action. The man who preaches hatred of wealth honestly acquired, who inculcates envy and jealousy and slanderous ill will toward those of his fellows who by thrift, energy, and industry have become men of means, is a menace to the community. But his counterpart in evil is to be found in that particular kind of multimillionaire who is almost the least enviable, and is certainly one of the least admirable, of all our citizens; a man of whom it has been well said that his face has grown hard and cruel while his body has grown soft; whose son is a fool and his daughter a foreign princess; whose nominal pleasures are at best those of a tasteless and extravagant luxury, and whose real delight, whose real life work, is the accumulation and use of power in its most sordid and least elevating form. In the chaos of an absolutely unrestricted commercial individualism under modern conditions, this is a type that becomes prominent as inevitably as the marauder baron became prominent in the physical chaos of the dark ages. We are striving for legislation to minimize

the abuses which give this type its flourishing prominence, partly for the sake of what can be accomplished by the legislation itself, and partly because the legislation marks our participation in a great and stern moral movement to bring our ideals and our conduct into measurable accord.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 27, 1908.

APPENDIX.

Communication to the mayor and city council relating to the practice of certain bidders for furnishing structural iron and steel and for iron and steel work upon boilers, bridges, and buildings.

BOSTON, April 17, 1908.

To the Honorable the Mayor and City Council.

GENTLEMEN: The finance commission has already called attention to certain administrative practices under which, by connivance between favored contractors and the city authorities, the advantages of competition were lost, contracts were given out by political favor instead of to the lowest bidder, and the city sustained serious financial loss.

Contracts of this sort, relating to coal, clay goods, and various forms of concrete construction, were referred to in the report of November 21, 1907; for North River flagging in the report of December 6, 1907; for sewer construction in the report of January 23, 1908; for crushing stone in the report of March 2, 1908; for cement in the report of March 4, 1908; for oil, drainpipe, and paving blocks in the report of March 9, 1908, and for the cleaning of catch-basins in the report of March 28, 1908. Similar practices in the purchase of coal were disclosed at the public hearings held by the Commission in September and October, 1907.

In its report of January 28, 1908, the Commission noted the apparent existence of a combination between the manufacturers of the rubber tires used by the Fire Department.

The Commission now desires to direct attention to instances of collusion between ostensible competitors for iron and steel work, by means of which, and by false representations, the city has been induced to award contracts at excessive prices.

The methods discussed in this report will be considered under three heads, namely, combinations among boiler makers, combinations among contractors for fireproofing, and combinations between corporations and firms engaged in the manufacture or supply of structural steel.

(1) COMBINATIONS IN BOILER REPAIR WORK.

The boilers in the various city schools are examined yearly by an inspection and insurance company to ascertain their condition, and upon reports of this company arrangements are made for the renewal or repair of the boilers as required.

For some years it has been the practice of the Schoolhouse Commission to invite bids from selected firms and corporations for this class of work. The department has been in the habit of confining the selection of contractors to those doing business in this city, and the concerns receiving such invitations during the past few years have been the Atlantic Works, the James Russell Boiler Works Company, the Cunningham Iron Company, and the Hodge Boiler Works.

The subsequent proceedings were generally as follows:

Some one familiar with the operations of the Schoolhouse Department would furnish each person invited to bid the names of the other persons to whom invitations had been extended. The concerns selected would then arrange between themselves as to who should do the work, as to the price to be fixed, and as to the division of the profits. Bids, ostensibly independent and competitive, were then submitted; and the department, being misled by this appearance of genuine competition, awarded the contract to the concern which the bidders had agreed should get the work. Upon completion of the work the excessive profit rendered possible by this collusive competition would be divided among the parties to the fraud.

In the summer of 1904 contracts were made with the James Russell Boiler Works Company for the repair of boilers in the Albert Palmer, Roxbury High, Winchell, Mary Hemmenway, and Aberdeen schools. Besides this concern, the Hodge Company, the Cunningham Company, and the Atlantic Works had been invited to submit bids. The aggregate amount paid by the city on these contracts was about \$2,600, and of this the treasurer of the company stated that about \$1,400 was profit. Out of this sum the company paid \$300 to the Hodge Boiler Works, \$200 to the Cunningham Iron Company, and \$300 to the Atlantic Works for having submitted to the city prearranged bids higher than those submitted by the James Russell Boiler Works Company.

The \$800 appears on a false entry of "merchandise" to balance the account. The \$300 paid the Atlantic Works was not entered upon the company's commercial books. The \$300 paid the Hodge Boiler Works was entered on its books, according to the treasurer's statement, as "cash received," but the Commission could not find the entry. The \$200 paid the Cunningham Iron Company was entered "account school-houses."

In August, 1906, a contract was awarded to the James Russell Boiler Works Company for repairing boilers in the Agassiz, Harry Vane, Blackinton, Hyde, Lawrence, Myles Standish, Norcross, Roger Clap, Robert G. Shaw, West Roxbury High, and Wyman schools. The price was \$1,904. The other concerns who had been invited to bid by the Schoolhouse Commission were the Cunningham Company and the Hodge Company. The gross profits on this job were about \$740, and the James Russell Boiler Works Company paid the Hodge Company and the Cunningham Company \$150 apiece for having submitted higher bids, according to agreement.

The treasurer of the Atlantic Works testified before the Commission that he bid on the 1904 jobs for the purpose "of helping out our competitors by bidding above them," and that the bids were talked over beforehand and the amounts of the same arranged between the bidders. He justified this and similar transactions as a part of the company's regular business methods, and said that in his opinion it was "an entirely proper transaction." The superintendent of the Atlantic Works testified that his company often put in bids not intended to secure the work.

The treasurer of the James Russell Boiler Works Company testified that his concern had done much business with the city, that on several occasions he had paid money to competitors for putting in apparently genuine bids which, by preconcerted agreement, were higher than his, and that his company had paid out a part of its profits for this accommodation. He admitted, also, that he had destroyed the books of the company which would disclose these transactions.

The treasurer of the Hodge Boiler Works testified that he knew who the other bidders were to be, having probably found out from some one in the schoolhouse department.

The manager of the Cunningham Iron Company admitted that the \$200 received in 1904 was for "bidding up" on the work at the request of the James Russell Boiler Works Company.

(2) COMBINATIONS OF FIRE PROOFING CONCERNS.

The two concerns whose transactions with the city have been investigated are the Eastern Expanded Metal Company and the Roebbling Construction Company, corporations doing an extensive business in this city.

These companies combined for the purpose of parceling out the work. Contract for contract was generally conceded, although in some cases money was paid as the price of abstaining from competition. This resulted in high prices to the customer, and exactions were thus obtained from all sorts and conditions of men and corporations. Even charities secured no exemption, and the prices obtained from a hospital, a home for crippled children, and the city of Boston were united in one check, which represented the price of collusion on these jobs. The two companies arranged to parcel out the work on many schoolhouses, the Roebbling Company taking some, while the Eastern Expanded Metal Company secured the rest. Both concerns, however, by keeping up the appearance of an active and real competition with the attendant circumstances of figuring and bidding, gave the city officials to understand that there was no collusion.

The methods adopted are illustrated by the case of the Emerson School in East Boston, for the erection of which bids were invited in January, 1903. The fire-proofing was figured by the Eastern Expanded Metal Company at \$5,375. To this sum \$500 was added for the Roebbling Company, and a bid submitted to the city of \$5,875. The Roebbling Company agreed to bid \$5,986, and did so. The work was then awarded by the general contractor to the concern which was apparently the lowest bidder, the Eastern Expanded Metal Company, for \$5,875; this sum was paid by the city to the general contractor and by him to the Eastern Expanded Metal Company, and at the conclusion of the work this company paid the Roebbling Construction Company the \$500 agreed on.

(3) COMBINATIONS IN THE STRUCTURAL STEEL TRADE.

About the year 1900 a carefully planned combination was created embracing practically all the firms and corporations engaged in structural steel work in New England. These concerns had previously been linked together in an association called the "New England Iron League," ostensibly maintained for the purpose of mutual protection against labor troubles, hostile legislation, and "unscrupulous contractors." Members of the league who entered into the combination in regard to contracts and bids, hereinafter referred to, called it the "Boston Agreement," or the "Reporting Agreement;" but the testimony of certain persons and certain letters indicates that the "League" and the "Agreement" were interchangeable designations.

The purposes and methods of this combination were as follows: A central office was established and placed in charge of an officer called the commissioner, to whom the members of the combination reported as to work which they intended to figure on or desired to secure. The commissioner kept a record of these reports and notified each concern so reporting what other members of the agreement were figuring on the job. Meetings of the members interested in this particular work were then arranged, at which it would be determined whether an arrangement for collusive bidding should be entered into. If this was decided on, an agreement was made as to who should get the job, as to the price at which it should be taken, and as to the consideration which was to be received by the others.

In order to preserve the appearance of competition and to insure the success of the scheme, the parties to the agreement would arrange the bids to be submitted in a progressive scale above the prearranged bid of the concern to which the work had been allotted. The consideration to be paid by the selected bidder to the other parties to the combination was sometimes a cash payment, but more frequently an understanding that the service rendered by these "complimentary" bids should be returned when other work was to be figured.

In further maintenance of the appearance of competition, and that no suspicion of collusion should arise in the mind of the party asking for bids, the members of the agreement did not hesitate to fortify their bids by false statements in writing that they were made in good faith, without fraud, collusion, or connection with any other bidder.

The machinery of the Boston agreement was carried out in considerable detail. Cards were printed on which the members reported to the commissioner, and the commissioner then recorded on them the persons figuring each piece of work. Stamps were used to mark as "important" those matters in which any member was particularly interested. A code was established to conceal the identity of the members of the combination, who were designated at one time by the names of various countries and at other times by numbers. The scheme was complete in every particular except that of perpetuating evidence of the meetings at which particular combinations respecting individual work were entered into.

Beyond establishing the existence and general purposes of this combination, the inquiry of the Commission was limited to the particular transactions directly or indirectly affecting the pecuniary interest of the city of Boston. It was shown, however, that the combination was of the most widespread character, that it included substantially all the local concerns and many of the largest corporations in the United States engaged in manufacturing or furnishing structural steel for use in any part of New England, and that it affected the Commonwealth, the cities and towns, the railroads and street railways, the owners of first-class buildings, and generally all persons having occasion to use iron or steel for any purpose in this section of the country.

The ostensible purpose of the Boston Agreement, as stated by the secretary of the New England Structural Company and the president of the Boston Bridge Works, two of its members, was to collect and distribute mutual information respecting the work the members were bidding on; but, as admitted by the witnesses, its real and ultimate objects were to regulate competition and to raise prices. Most of the members of the agreement were engaged in interstate commerce, and many of the particular combinations effected were clearly within the narrowest definition of commerce between the States as that phrase is used in the Act of Congress of July 2, 1890.

The meetings of the prospective bidders brought about through the machinery of the Boston Agreement were not always successful. As explained by the president of the Boston Bridge Works, the effort to get together and to secure for one of the members a "concession" of the work in question sometimes failed; but "in many cases" an agreement was reached whereby work was "conceded" to one of them, the

others agreeing to bid over him. He added that such an agreement was "always made if possible."

It would be impossible to estimate the cost to the city and other users of structural steel through the operations of the Boston Agreement, because the consideration generally paid for an award of a contract by the bidders to one of their number was the return of the same favor on other occasions. No passage of money was necessary, as the complimentary bidders were in due course to have their turn for doing work on their own terms. Some indication, however, of the loss to the consumer may be deduced from some of the transactions with the city of Boston noted below.

So far as the city is concerned, it appeared that the operations of the Boston Agreement included the tidewater and railroad bridges built by the city itself, the bridges built by the various railroads in this city for the abolition of grade crossings, the work of the Transit Commission, the work of the Charles River Basin Commission, and the structures of the Boston Elevated Railway Company, in the cost of which the city has, under Statute 1897, chapter 500, section 10, a pecuniary interest.

The following instances, showing the detail methods of the combination known as the Boston Agreement, are confined to work done directly for the city of Boston.

The Bennington Street Bridge.—In the case of this bridge, advertised in November, 1901, the Boston Bridge Works paid various sums aggregating \$900 to five possible competitors in return for an agreement on their part either to submit higher bids or to abstain from bidding.

The Broadway Bridge.—In September, 1902, bids were invited for the construction of this bridge. The two leading competitors were the Boston Bridge Works and the New England Structural Company. The contract was awarded to the former as the lowest bidder, for \$112,874. An arrangement, however, had been made between these two bidders for putting in a bid on behalf of the New England Structural Company at the higher figure of \$116,450, in return for which this company was to receive \$5,000. This arrangement was carried out, and in due course \$5,000 was remitted by the Boston Bridge Works to the New England Structural Company as the price of this concession.

The Cove Street or Atlantic Avenue Bridge.—Bids for the superstructure of this bridge were advertised for by the city in June, 1903. For various reasons it was at this time very difficult to estimate on this work, and the bids were all rejected. In October, 1904, the work was again advertised, and awarded to the Pennsylvania Steel Company, the lowest bidder. This was apparently a case of straight competition. In October, 1905, the city engineer advertised the draw span of this bridge, and the Pennsylvania Steel Company, representing to its competitors that it had lost money on its contract for the superstructure, persuaded the members of the combination to let it have this contract to enable it to recoup the loss sustained under the other contract. Concerted bids, so arranged as to make the \$58,600 bid by the Pennsylvania Steel Company the lowest bid, and all containing the false statement that there was no fraud, collusion, or connection with any other person bidding for the work, were submitted to the city. According to the testimony of one of the bidders, the corporations making these collusive bids and false representations were the Boston Bridge Works, the King Bridge Company, the New Jersey Bridge Company, the Eastern Bridge and Structural Company, the Canton Bridge Company, the American Bridge Company, the Groton Bridge Company and the Pennsylvania Steel Company. Those bids were all rejected as excessive, and the draw span was again advertised in January, 1906. Discouraged by the former failure, everyone seems to have bid this time in real competition, the lowest bid being that of the New Jersey Bridge Company, which was awarded the contract for \$37,788. The president of the Boston Bridge Works, one of the bidders, admitted that there was no change in the steel market between October, 1905, and January, 1906.

In this instance, therefore, the result of the combination was to raise the bid for the contract by \$18,812, or about 50 per cent of the final contract price.

The Brookline Street Bridge.—Bids were invited for the construction of this bridge in November, 1905. The members of the combination believed that they had perfected an arrangement by which the work should go to the New England Structural Company, but through some oversight or misunderstanding the firm of H. P. Converse & Co. made a lower bid. As a result this concern was the lowest bidder and obtained the contract for \$15,400, about 5 per cent less than the bid of the New England Structural Company.

There was evidence from two members of the combination that all the bids except that of H. P. Converse were prearranged and collusive. Yet these eleven other bidders, namely, the New England Structural Company, the Pennsylvania Steel Company, the Boston Bridge Works, Frederick W. Sage, for the Belmont Iron Works, the Eastern Bridge and Structural Company, the Berlin Construction Company, the American Bridge Company, the Canton Bridge Company, the New Jersey Bridge Company, the Groton Bridge Company, and the Owego Bridge Company, not only submitted bids as if they were independent and competing bidders, but signed statements that their bids were made in good faith, without fraud, collusion, or competition with any other persons bidding for the same work.

In this instance the failure of the combination to arrange matters with all the bidders saved the city about 5 per cent of what would otherwise have been the cost of the work.

The membership of the Boston Agreement included the following firms and corporations:

- American Bridge Company.
- The Phoenix Bridge Company.
- Brown-Ketcham Iron Works.
- Berlin Construction Company.
- The Boston Bridge Works (Incorporated).
- Chelmsford Foundry Company.
- The Canton Bridge Company.
- G. W. & F. Smith Iron Company.
- New England Structural Company.
- Boston Steel and Iron Company.
- Eastern Bridge and Structural Company.
- Magguier & Jones Company.
- United Construction Company.
- Springfield Construction Company.
- New England Bolt and Nut Company.
- J. T. Croft & Co.
- Smith & Lovett Company.
- L. M. Ham & Co.
- Fletcher & Crowell Company.
- H. P. Converse & Co.
- Miliken Brothers.
- Levering & Garrigues Company.
- James H. Tower.

CONCLUSIONS AND RECOMMENDATIONS.

Comment on the moral meaning of these methods and transactions would seem superfluous; but as they were defended at the public hearings of the Commission and asserted to be common and entirely proper incidents of business life, and as these practices have been freely resorted to by some of the largest industrial corporations that the world has ever known, the Commission deems it proper to record its own opinion.

The Commission dislikes to believe that these practices are as alleged, established by the general custom of the business community; and this defense itself, if unchallenged, amounts to a grave accusation against the honesty of present business methods.

To answer an invitation for public or private work by sending in what purports to be genuine bids, but what in reality are collusive figures purposes made higher than the bid which it is known will be submitted by one of the supposed competitors is an act of plain dishonesty.

To support these misrepresentations by false affirmations in writing that the bids are submitted in good faith, and without fraud, collusion, or connection with any other bidder, is a positive and deliberate fraud; the successful bidder in the competition is guilty of obtaining money by false pretenses; and the others have made themselves parties to a conspiracy clearly unlawful at the common law.

Where, as in the case of the "Boston Agreement," a number of the most important manufacturers and dealers in structural steel in this country, including the American Bridge Company, one of the constituent members of the United States Steel Corporation, have combined together for the purpose of raising prices by means of collusive bids and false representations, their conduct is not only repugnant to common honesty, but is plainly obnoxious to the Federal statute known as the Sherman or antitrust law.

The commission believes that an example should be made of these men, and that the members of the "Boston Agreement," or at least all those who in October and November, 1905, entered in the fraudulent competitions for the Cove-street draw span and the Brookline street bridge, should be brought before a Federal grand jury for violation of the Act of Congress of July 2, 1890. The three years' limitation for participation in these transactions has not yet elapsed, and the evidence obtained by the Commission is so complete that there should be no difficulty in the Government's securing a conviction in this case.

This recommendation applies to the officers and directors of the following corporations, as well as to the corporations themselves, viz:

American Bridge Company of New York.
The Pennsylvania Steel Company.
New Jersey Bridge Company.
New England Structural Company.
The Boston Bridge Works (Incorporated).
Eastern Bridge and Structural Company.
Berlin Construction Company.
The Canton Bridge Company.
The Groton Bridge Company.
Owego Bridge Company.
The King Bridge Company.
Frederick W. Sage, for Belmont Iron Works.

So far as the pecuniary interests of the city of Boston are concerned, the Commission recommends that an action be brought in the State courts to recover the money out of which the city was defrauded in the boiler repair contracts of 1904 and 1906, in the fireproofing contracts, and in the Broadway Bridge transaction of 1902; and that suits be brought in the United States Circuit Court for the District of Massachusetts against all the members of the "Boston Agreement" who competed for city work, to recover the triple damages allowed in such cases by the provisions of the Sherman Act.

For the future, the Commission recommends that before any contract is let, whether by public advertisement or by private invitation, for work exceeding \$1,000 in amount, the contractor be required to furnish a statement under oath that his bid was made in good faith, without fraud, collusion, or connection of any kind with any other bidder for the same work, or with any city official, that the bidder is competing in his own interest and in his own behalf without connection or obligation to any undisclosed person, and that no other person has any interest in the profits of the contract; and that a similar affidavit be required from all persons submitting to any department figures for subcontracts where the work is let to a general contractor.

Also that the Legislature be requested to pass an act making it a misdemeanor punishable by fine or imprisonment, or both, to submit such an affidavit which contains a false statement; making it a misdemeanor punishable by fine or imprisonment, or both, for two or more persons invited publicly or privately to compete for public work to enter into any combination affecting the bid of either; making any contract entered into by the city with a person or corporation who has been a party to such a combination void, at the option of the city, as to the part uncompleted at the date when the fraud is discovered; and giving the city the right to recover any money previously paid in excess of the reasonable value of the completed part.

The Commission also recommends that the practice of city departments to restrict their invitations to local concerns be discontinued. The city is entitled in its contract work to the largest field of competition.

Respectfully submitted.

THE FINANCE COMMISSION,
By NATHAN MATTHEWS, Chairman.

The VICE-PRESIDENT. The message will lie on the table and be printed.

SUSPENSION OF COMMODITY CLAUSE, INTERSTATE COMMERCE LAW.

Mr. ELKINS. Mr. President, I ask unanimous consent for the present consideration of the joint resolution (S. R. 74) suspending the commodity clause of the present interstate-commerce law. It will take but a few moments.

The VICE-PRESIDENT. The Secretary will read the joint resolution for the information of the Senate.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the failure of any railroad company, prior to May 1, 1910, to comply with that provision of section 1 of the act approved June 29, 1906, entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," which reads as follows: "From and after May 1,

1908, it shall be unlawful for any railroad company to transport from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it or under its authority, or which it may own in whole or in part, or in which it may have any interest, direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier," shall not be held or deemed to subject the railroad company so violating said provision prior to January 1, 1910, to the penalties, fines, or forfeitures now provided by law for violations of said act to regulate commerce, or any act amendatory thereof or supplementary thereto: *Provided*, That nothing in this resolution shall be construed to prevent the bringing of any civil suit or proceeding for the enforcement of said provision or the prevention of violations thereof.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. FORAKER. Mr. President, I do not want to consent to that until the Senator from Missouri [Mr. WARNER] has been heard from. The Senator from Missouri gave notice that he wanted to speak on the Brownsville matter yesterday. He then was asked to give way, and he did give way very graciously. He has been sitting here all morning, and the morning business has continued far beyond what it usually does. This is a matter that can not be disposed of in a moment. I think the Senator from West Virginia has an amendment he wants to offer, which has not yet been offered, and I have an amendment which I want to offer after he has perfected his resolution. I suggest, therefore, that the Senator offer the amendment he proposes to offer, as I understand him, to perfect the joint resolution; then I will offer mine; then let both be printed, and let us take them up to-morrow.

Mr. ELKINS. I will suggest to the Senator from Ohio that I spoke to the Senator from Missouri and asked if I could bring this matter up, and I had his consent to do so.

Mr. FORAKER. The Senator from Missouri tells me he consented upon the theory that the joint resolution would take only a few moments, but we can not discuss a matter of this kind in a few moments. It is a matter of the gravest importance, and some of us have views as to what ought to be done different from those entertained by the Senator from West Virginia.

Mr. ELKINS. I will ask the Senator—

Mr. WARNER. Mr. President—

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Missouri?

Mr. ELKINS. Yes, sir.

Mr. WARNER. I gladly yielded to the Senator from West Virginia, thinking, of course, the joint resolution would not take any great time. I do not wish to stand in the way of any legislation that is desired, but I am anxious to get through with the remarks I wish to submit as early as possible.

Mr. FORAKER. I should be glad to have the Senator from Missouri proceed with his remarks. I am anxious about that, but I recognize the importance of this resolution, and I recognize that it must be acted upon within a few days, because it is the purpose of this resolution, as I understand, to modify the commodity clause of the Hepburn rate law, which goes into effect on the 1st day of May; and, if it is to be modified before the 1st day of May, we must act soon. But I do not like the resolution that the Senator has offered, for reasons that I can not give expression to in a moment or in a few moments. I desire no great length of time—perhaps not more than thirty minutes—to discuss this matter, but we all know, when a man has in mind to make a speech of thirty minutes, he is liable to interruptions and on other accounts to make it an hour, or maybe even longer.

Mr. ELKINS. May I interrupt the Senator?

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FORAKER. Yes.

Mr. ELKINS. The Senator suggests he wishes to have his substitute printed.

Mr. FORAKER. My substitute has been printed, and is on the desk before me, but what I wanted was that the Senator's amendment, which has not been printed—

Mr. ELKINS. The Senator means the amendment suggested by the Attorney-General?

Mr. FORAKER. By the Attorney-General. That might be offered now and be printed. We could have it before us to-morrow, and I could have a copy of it and look at it as well as the Senator from West Virginia.

Mr. ELKINS. Mr. President, I would state, for the information of the Senator from Ohio and for the Senate, that this joint resolution has the approval of the Interstate Commerce Commission, to whom it was referred for report. The Attorney-General also states in a letter that his attention had been drawn to the resolution, and he suggests an amendment, to which the

Senator from Ohio has referred, and which I will read, so that it may go into the Record and be printed, as suggested by the Senator from Ohio.

Mr. FORAKER. The Senator can offer it and have it printed without stopping to read it.

Mr. ELKINS. Yes. I will offer the amendment to strike out the proviso on page 2, lines 17, 18, 19, and 20, and insert in lieu thereof the proviso suggested by the Attorney-General in his letter of April 8, 1908, which I will read, so that it will go into the Record. The Attorney-General says:

OFFICE OF THE ATTORNEY-GENERAL,
Washington, D. C., April 8, 1908.

HON. STEPHEN B. ELKINS, United States Senate.

MY DEAR SENATOR: My attention has been called to S. R. 74, introduced by you on the 31st ultimo. In view of the fact that some difference of opinion seems to exist as to whether any appropriate civil remedy exists to enforce the provisions of the "commodities clause" of the Hepburn Act, as the law now stands, I venture to suggest that the above-mentioned resolution be amended by adding to it the words following:

This is the proviso that, as I have stated, I will move to substitute for the proviso on page 2, lines 17, 18, 19, and 20:

"Provided, That nothing in this resolution shall be construed to prevent the bringing of any civil suit or proceeding for the enforcement of said provision or the prevention of violations thereof; and the Attorney-General is hereby authorized to institute, or cause to be instituted, in the name of the United States and against any persons or corporations failing to comply with said provision such civil suit, whether by application for mandamus, bill in equity for injunction, or other effective remedy in the premises, in any circuit court of the United States having jurisdiction in the premises, to secure the enforcement and observance of said provision; and the respective parties to any such suit herein authorized to be commenced shall enjoy the right of appeal, as in suits of like character when instituted by the request of the Interstate Commerce Commission to compel the observance of the interstate-commerce law."

Yours, very truly,

CHARLES J. BONAPARTE,
Attorney-General.

That is the amendment I offer. I would ask, in this connection, that the substitute of the Senator from Ohio be read and put in the Record, so that Senators will have both the amendment and substitute of the Senator before them, if the Senator will have it read, or allow me to read it, or read it himself.

Mr. FORAKER. I understand the Senator has offered that amendment.

Mr. ELKINS. Yes; I have offered this amendment to strike out and insert. Now, I want your substitute—

Mr. FORAKER. When that amendment is disposed of, I shall offer mine—that is to say, if the Senator from West Virginia has perfected his joint resolution, I will then offer this as a substitute.

Mr. ELKINS. I ask that my amendment be adopted, then, as offered now.

Mr. KEAN. I should like—

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution? That is the question.

Mr. CULBERSON. I rise to inquire what is the proposition before the Senate?

The VICE-PRESIDENT. The question is whether there is objection to the present consideration of the joint resolution just reported?

Mr. CULBERSON. I object to its present consideration.

Mr. ELKINS. The amendment—

Mr. CULBERSON. I object to its present consideration.

Mr. ELKINS. If that be the case, I ask that the substitute of the Senator be read. I want to read it for the information of the Senate.

Mr. FORAKER. I want to offer it as soon as it is in order to do so. I desire to offer my amendment as a substitute for the joint resolution of the Senator from West Virginia when he has it perfected. I see no objection, if the Senator from Texas will allow me to make that suggestion, to allowing the Senator from West Virginia to perfect his joint resolution.

Mr. CULBERSON. I do not object to that.

Mr. FORAKER. No. Then I should think, without objection, that amendment might be considered as adopted, but open to amendment.

Mr. ELKINS. I hope the Senator from Texas—

Mr. CULBERSON. My understanding when I came into the Chamber was that the joint resolution would not at this time be offered for consideration by the Senate.

Mr. ELKINS. Let me state to the Senator the situation. I have only moved to strike out the provision in the original joint resolution and to substitute instead one that the Attorney-General has recommended, which I was willing to have adopted and taken as a part of the joint resolution. That is all.

Mr. CULBERSON. I think the Senator from West Virginia can do that without a motion. He can perfect his own joint resolution without the action of the Senate.

Mr. ELKINS. I ask that that be done.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. The Chair is of the opinion that if the joint resolution was a personal resolution offered by the Senator from West Virginia he could modify it at his option; but if it is a committee measure, a joint resolution reported by the committee—

Mr. CULBERSON. I think the Chair is right in this respect. If the proposition is for the Senate to consider the joint resolution now, I object.

Mr. ELKINS. If the Senator will allow me, I should like to perfect the joint resolution as suggested.

The VICE-PRESIDENT. The joint resolution can not be perfected by amendment unless it is before the Senate for consideration.

Mr. CULBERSON. If I can, I consent to its consideration to that extent.

Mr. ELKINS. That is all I desire.

Mr. CULBERSON. I have no objection to that.

The VICE-PRESIDENT. The Senator from West Virginia proposes an amendment—

Mr. CLAY. I suggest to the Senator from West Virginia that if we take up the joint resolution now and adopt this amendment Senators would not know what the amendment contains. I suggest to him to have the resolution and the amendment printed, printing the amendment in italics, and then when the joint resolution comes up to-morrow we can consider the amendment. In all probability Senators may not desire to vote for this amendment. If this amendment is adopted to-day we are bound by it, and before it is considered, at least, it ought to be printed. It is the usual course. Amendments are offered to a measure of this kind, and both the measure and the amendments are printed. If the Senator can have the joint resolution and the amendment he offers and the substitute offered by the Senator from Ohio all printed, the amendment and substitute in italics, the whole matter can be considered together to-morrow. Simply to take up the joint resolution and adopt one amendment—

Mr. ELKINS. It is to modify the joint resolution as offered.

Mr. CLAY. Has the joint resolution been considered by the Committee on Interstate Commerce?

Mr. ELKINS. Yes; and reported favorably.

Mr. CLAY. Unanimously reported?

Mr. ELKINS. Unanimously reported.

Mr. FORAKER. I was absent when the joint resolution was considered in committee or I should have offered the amendment there that I propose to offer now. I see no objection to the Senator from West Virginia being allowed to perfect the joint resolution. Then I can offer the substitute.

Mr. CLAY. I should like to ask the Senator a question. The joint resolution is one which has been introduced in the Senate and referred to the Committee on Interstate Commerce, and acted upon by the committee, and is now in the Senate?

Mr. ELKINS. And reported favorably.

Mr. CLAY. The joint resolution can not be amended or changed except by the vote of the Senate. If it was a simple resolution introduced by the Senator from West Virginia, he surely could perfect it, but it will take a vote of the Senate to change the joint resolution and adopt a proviso or amendment.

Mr. FORAKER. Undoubtedly; and that is what the Senator from West Virginia asks—that he may be allowed, by unanimous consent, to perfect the joint resolution.

Mr. ELKINS. Then it will be before the Senate.

Mr. FORAKER. I care nothing about it, except I wish to offer my substitute.

Mr. CLAY. It strikes me the best way is to have the joint resolution and the amendments printed, and that all be passed upon at the same time. I hope the Senator will consent to that. I do not want to object to the Senator perfecting the joint resolution.

Mr. CULBERSON. I should like to ask the Senator from West Virginia if the amendment now proposed by him is recommended by the committee and whether it is intended in that way by the committee to perfect its own joint resolution, or is it an individual proposition of the Senator?

Mr. ELKINS. I will state for the information of the Senator—he was not present—that I read the amendment suggested by the Attorney-General of the United States in a letter to me, which I was willing to accept instead of the provisions of the committee. It enlarges the proviso inserted by the committee when it reported the joint resolution. That is all the amendment does. It enlarges it; it does not change the sense of the joint resolution, but makes it more definite.

Mr. CULBERSON. It is not an amendment proposed by the committee?

Mr. ELKINS. No. It is suggested—

Mr. KEAN. Has it ever been considered by the committee?

Mr. CULBERSON. Therefore it will be necessary for the Senate itself to act before it can be perfected to that extent.

Mr. President, while I have the floor I wish to call the public attention of the Senator from West Virginia, who is chairman of the Committee on Interstate Commerce—and he is not unadvised about my position personally on the matter—to the fact that the joint resolution is intended for the relief of the railroads, and it has been promptly reported from the committee, whereas there are several bills pending before the Committee on Interstate Commerce, and have been for three or four months, asking some relief as against the railroads for the people and the shippers of the country, and we can not get a report upon either one of those bills from the Committee on Interstate Commerce.

So far as I am concerned, I am not disposed to give unanimous consent for the consideration of bills for the relief of the railroads when the committee does not bring in bills for the relief of the shippers of the country, which have been pending there for four or five months. Let us have a report either one way or the other, either adversely or favorably, and not drag it out, and not have millions of dollars lost to the shippers of the country because the railroads refuse to give them adequate relief.

Mr. ELKINS. To what bill does the Senator refer?

Mr. CULBERSON. I refer specially to the bill introduced by me the last session and reintroduced at the beginning of this session, requiring the railroads to furnish cars to shippers when they are demanded and when the commerce is there ready to be delivered to the carrier. The Senator is advised of the bill, I think.

Mr. ELKINS. Has the Senator concluded?

Mr. CULBERSON. Yes; for the present.

Mr. ELKINS. I do not see why this joint resolution should have provoked this complaint from the Senator from Texas. The bill he introduced has had more consideration than any other bill before the Interstate Commerce Committee.

Mr. CULBERSON. That is the trouble about it. It has had nothing but consideration. That is what we object to.

Mr. ELKINS. It is the best we can do. Why do you not vote to discharge the committee from the further consideration of the bill, if you do not like the way the committee is proceeding?

Mr. CULBERSON. There is time enough.

Mr. ELKINS. Let me explain. If the Senator will allow me—

Mr. CULBERSON. If the Senator wants an emphatic statement about it, he can be assured that a motion of that kind will be made if the committee delays very much longer.

Mr. ELKINS. All right. I will be ready to answer that or the committee will, when the motion is made.

I want to answer the Senator from Texas. The bill he introduced has been considered more, and more hearings have been had on it, than any other bill before that committee. No longer ago than two weeks, I think on Good Friday, Judge Cowan, of Texas, the special advocate of the bill, appeared before the committee and had a hearing, and every time the friends of the bill have asked for a hearing they have had it. The bill is in the hands of a subcommittee, as I understand. Those opposed to the bill have had no opportunity to be heard. I do not know whether the Senator wants the committee discharged from the further consideration of the bill or to force a report when only one side has been heard and the other has not.

I do not see that that has anything to do with this joint resolution. If the Senator wants to object to the consideration of the pending joint resolution, let him do so openly and not drag in something about the failure of the committee to report another bill which he introduced.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Texas?

Mr. ELKINS. Certainly.

Mr. CULBERSON. The Senator from West Virginia, I take it, does not desire to create a misapprehension upon the part of the Senate in the statement which he has made that the opposition to the bill I introduced has not been heard. The fact is, as I understand it, that both sides have been heard with reference to this measure.

So far as concerns the last statement of the Senator from West Virginia, he will bear witness that I have already openly objected to the consideration of the joint resolution, and I intend to continue to object to its consideration unless some relief for the shippers is granted either by an adverse report or by an affirmative report in reference to the same, so that the Senate can consider the measure.

Mr. LODGE. Mr. President, let us have the regular order.

The VICE-PRESIDENT. The regular order is demanded.

Mr. ELKINS. I can not control the action of the Senator from Texas. Whatever he wants to do is for him to judge. I should like to get the proviso suggested by the Attorney-General printed, as suggested by the Senator from Georgia, if I may, if the Senator from Texas will allow that much to be done. I find I was mistaken in saying the opposition to the bill had not been heard. It appears that two attorneys opposed to the bill appeared and were heard. I was not present.

Mr. CULBERSON. I have not objected to that.

The VICE-PRESIDENT. The Senator from Massachusetts has demanded the regular order.

Mr. CULBERSON. I have no objection to the printing. I simply object to the present consideration of the joint resolution with a view to its passage.

Mr. ELKINS. I accepted that fact long ago, and now only desire the suggestion of the Senator from Georgia carried out.

The VICE-PRESIDENT. The Chair will state that all this debate is out of order, the Senator from Massachusetts having demanded the regular order.

Mr. LODGE. It is obvious that this measure will involve a great deal of debate. The Senator from Missouri [Mr. WARNER] has been waiting for some time to go on with his speech. I thought it was only fair to him, as this seemed to give rise to great debate, that we should have the regular order.

Mr. FRYE. I appeal to the courtesy of the Senator from Missouri [Mr. WARNER] to call up a very important bill, which will not lead to any discussion, and I should like to do it now. It ought to pass the Senate, so as to reach the House in season.

Mr. LODGE. I make no request for the regular order as against the Senator from Maine.

Mr. ELKINS. I should like to have the suggestion of the Senator from Georgia carried out, and then I shall have no objection to the request. I have nothing to say against the request of the Senator from Maine.

The VICE-PRESIDENT. The regular order is demanded and the Chair has recognized the Senator from Maine.

REGULATION OF SEAGOING BARGES.

Mr. FRYE. I ask unanimous consent for the present consideration of the bill (S. 6487) to govern seagoing barges. There are 400 seagoing barges, and they are the most dangerous of sea craft. Within two years 60 have gone to the bottom, and 25 per cent of the sailors have gone with them, the largest percentage of loss ever had on the ocean. They are absolutely without regulation. They are usually from 20 to 30 years of age. Many of them are old ships and barks which have been cut down after they were practically unserviceable, thus weakening their structural strength, and every once in a while one goes down in the ocean and takes with it its crew.

Then, again, it is easier for tugs to tow these barges with very long hawsers, making a range of barges three or four or five thousand feet long, swayed hither and thither by the wind and tide and current, and they constitute a worse danger to sailing ships and steamships than do derelicts. This bill simply provides that they shall be regulated, inspected, and controlled as other seagoing vessels are. I should like to have the bill read, and then I ask unanimous consent for its present consideration.

Mr. KEAN. May I ask the Senator from Maine a question?

Mr. FRYE. Certainly.

Mr. KEAN. Does this regulate the length of the tows?

Mr. FRYE. It does not. It simply allows the Secretary of Commerce and Labor to make rules and regulations in relation to it.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that the local inspectors of steamboats shall at least once in every year inspect the hull and equipment of every seagoing barge of 100 gross tons or over, and shall satisfy themselves that such barge is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew, and is in a condition to warrant the belief that she may be used in navigation with safety to life. It further provides for a certificate of inspection such as is prescribed in sections 4421 and 4423 of the Revised Statutes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF STORM SUFFERERS.

The VICE-PRESIDENT laid before the Senate the joint resolution (H. J. Res. 171) providing for assistance to the people of the storm-swept States of Georgia, Alabama, Mississippi,

and Louisiana, which was read the first time by its title and the second time at length, as follows:

Whereas on the 25th day of April, 1908, there occurred in the States of Georgia, Alabama, Mississippi, and Louisiana a disastrous cyclone or tornado, causing the loss of hundreds of lives and the destruction of much property and rendering many persons homeless and temporarily without means of support: Therefore, be it

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to use such means as he has at hand, or that may be furnished to him, in the way of tents, provisions, and supplies, to relieve the distress occasioned by such storm or cyclone, and that he take such steps as he may deem proper for the relief of such distress and need among the people who have suffered from the results of said storm or cyclone.

Resolved, That the Congress has heard with much regret and profound sorrow of the terrible loss of life and destruction of property attendant upon the disastrous storm or cyclone which visited the States of Georgia, Alabama, Mississippi, and Louisiana on the 25th day of April, 1908, and hereby extends its sympathy to the sufferers.

Mr. BACON. I ask unanimous consent for the present consideration of the joint resolution, with the indulgence of the Senator from Missouri.

Mr. WARNER. Certainly.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COMPANIES B, C, AND D, TWENTY-FIFTH INFANTRY.

Mr. WARNER. Mr. President—

The VICE-PRESIDENT. The Chair lays before the Senate Senate bill 6206, which will be stated by title.

The SECRETARY. A bill (S. 6206) for the relief of certain former members of the Twenty-fifth Regiment of the United States Infantry.

Mr. WARNER. Mr. President, when last discussing this question I was taking up for consideration the witnesses who claimed that they saw the raiders and recognized them as colored soldiers. The witnesses of whom I have spoken were Mr. and Mrs. Rendall, Mr. Sanborn, and Jose Martinez, Mrs. Rendall failing to recognize the men as soldiers, but seeing the forms of the men moving around in the direction in which her husband had located them.

This brings us to the testimony of Mrs. Leahy, who was one, as I said in my former remarks, of the very few at Brownsville who displayed courage and self-possession while the raiders were "shooting up" the town. She, at the risk of her life, crossed the street to take to her home the terrified Cowen family, and, what is most strange, protected two of the valiant policemen of Brownsville by shutting them up in a bathroom of her hotel until the danger had passed. Mrs. Leahy testified, and I think those who saw her will believe her statement, that she does not know what fear is. It is also clear from the evidence that she had no prejudice against the coming of the negro troops, nor did she have any sympathy with those who threatened to get rid of them.

On being asked:

You never had any trouble with the colored troops?

she replied:

No, sir; none whatever.

Q. Did you have any objection to the colored troops coming there?—

A. None whatever, sir.

Q. Nor any prejudice or objection against a soldier, whether white or black?—A. None whatever, sir. (P. 2894.)

Mrs. Leahy testified positively to seeing the flash of shots from the gallery (porch) of B Company barracks; this she saw when at the window in the vacant room on the second floor of her hotel. What she saw of the raiders is best told in her own words:

Q. Now, did you see the parties near your place when they came down there near your house?—A. Yes, sir; after that—some time after that.

Q. Well, what did you see there?—A. I heard them still shooting up the alley. They stopped at the mudhole, turned around, and shot into the Cowen house. They walked around the mudhole, and then shot into the Cowen house.

Q. The Cowen house is just across Fourteenth street from your house?—A. Yes, sir. They stopped in the middle of the street. When they stopped in the middle of the street one man touched the other on the shoulder and looked up at the window where I was and said something that I could not understand. The other man looked up and said: "No; keep straight ahead and shoot to the front," and a volley was shot down the alley toward the Miller Hotel.

Q. You heard those voices. Did you see the faces of the party?—A. Distinctly—of those two men only.

Q. Of those two men. What were they—colored men or white men?—A. They were negroes. One was a black man, the other was a yellow-faced negro, with spots on his face and distinctly negro features.

Q. How were they dressed—in citizens' clothes or soldiers' uniforms?—A. No, sir; they had soldier clothes on—khaki suits on—and one had a blue shirt.

Q. They were in plain view of you at that point?—A. Clearly; yes, sir.

Q. Where were they when you saw them?—A. Right in the middle of the street, sir.

By Senator LODGE:

Q. In the middle of Fourteenth street?—A. Yes, sir.

By Senator WARNER:

Q. Well, then, which way did the shooting continue?—A. Up the alley, sir; up towards the Miller Hotel.

Q. Up towards the Miller Hotel?—A. Yes, sir.

Q. The Miller Hotel was on Thirteenth street?—A. Thirteenth street.

Q. Did you see any more of the parties there?—A. Yes, sir; there was 14 other men with them.

Q. How did you know there were 14?—A. I counted them, and I am sure there were 14 others; I may have made a mistake in the counting, but I doubt it.

Q. Did you notice how those others were dressed?—A. They were in khaki uniform.

Q. Were they colored soldiers?—A. I think so. I did not see them clearly or distinctly.

Q. You did not see their faces?—A. No, sir; I did not.

Q. But they were dressed in the soldiers' uniforms?—A. Yes, sir.

Q. You are quite clear about that, Mrs. Leahy?—A. Yes, sir.

Q. Why was it that you saw those two, you say, so distinctly?—A. Because they were looking up at the window when the men shot around them. They were looking straight at me, and I saw them.

By Senator SCOTT:

Q. Which way were those men facing?—A. Looking straight at me, and I was looking at them, as they said, "Keep straight ahead and shoot to the front." I could not help but see them. (Pp. 2896 and 2897.)

Mr. Herbert Elkins, who occupied a room on the second floor of the Leahy Hotel, testified that he was awakened from sleep by the shooting; that in looking out of the window in his room he saw men in khaki uniforms which he recognized as the uniform worn by soldiers. The shooting he heard sounded to him as though it were down in the Cowen alley in the direction of the post—as he locates it—about the post wall. He was then asked:

Q. Just proceed in your own way and tell what you saw and heard from that point.—A. As soon as I heard those shots I raised up and sat in the window. I thought it meant that there was a fire. Then I heard more shots down there, and then I saw two men—after a little I saw two men—running up toward the corner of the alley, toward Fourteenth street.

Q. Proceed.—A. I saw two men running up towards Fourteenth street, and when they got to about 6, 8, or 10 feet from the mouth of the alley, the one in the lead ran into a soft, muddy place and he got out on the sidewalk—there was no sidewalk there, but a hard place, gravel—and he called to the other to not run ahead, or he would get in the mudhole. They stepped out there and fired about two or three shots each into the Cowen house. Then they reloaded and fired, emptied their guns, I suppose. Anyway, they fired about five times apiece—four or five times apiece—and then they reloaded again, and as they were reloading one man had trouble with his gun, and he stepped over towards the other one and both of them together fixed it. They did not fire any more, but ran on up the alley across Fourteenth street, back of the hotel.

Q. Could you see those men from where you were in your window so as to recognize how they were dressed?—A. Yes, sir.

Q. How were they dressed?—A. Well, they had on the khaki leggings and pants, and one of them had on a blue shirt and a belt. Whether he had on a cap I do not know; I do not remember. Then the other man was dressed the same way, except he might have had on a coat. I do not remember.

Q. After these men had fired into the Cowen house, state whether any others came up, and then proceed from there.—A. After these men had passed across Fourteenth street into the alley back of the hotel I saw a bunch of soldiers—negro soldiers—come running up the alley. They turned around the corner, and directly in front of the Cowen house— (P. 2313.)

Q. When the bunch of men came into Fourteenth street in front of Mrs. Cowen's house were they or not nearly in front of your window?—A. They were. Yes, sir; right directly between my window and the Cowen gate; about the middle of the street.

Q. About how far were they from your window at that time, could you tell?—A. They were about the middle of the street, and I do not know for sure, but I think the street is about 50 or 40 feet wide.

Q. What street was that, please?—A. That is Fourteenth street.

Q. Now, when the call that you heard back of the hotel was made, did the men who were in front of your window on Fourteenth street turn their faces toward you or toward the corner of the alley and Fourteenth street?—A. Toward the alley, which was mighty near toward me, too.

Q. Could you at that distance and at that time see the faces of any of the men so as to know whether they were white or black men?—A. I could see that part of them were black negroes, and that part of them were lighter colored.

Q. Could you recognize that they were negroes?—A. Yes, sir.

Q. You could tell that?—A. Yes, sir. (Pp. 2314 and 2315.)

Judge Parks, an ex-district judge, who, as I have stated, occupied the adjoining room to Mr. Elkins, on the day after the shooting (August 15, 1906), being in Brownsville attending legal business, his home being at San Antonio, Tex. On the 15th day of August, 1906, the day following the shooting, Judge Parks (who has since died) wrote to his wife the account of the shooting as he saw and heard it. That letter is as follows:

BROWNVILLE, TEX., August 15, 1906.

DEAR MAMA: I did not write you yesterday, because there was no time to do so. The entire city was up in arms. I suppose you have seen in the papers what the negro soldiers did. Night before last between 11 p. m. and 12 the negroes came out of the garrison in great force and began a bombardment of the town. It was a terrible affair. They fired several hundred shots along the streets near the garrison line, into the houses and everywhere else, utterly regardless of the families in the houses; then they came on up the alley between Mrs. Louis Cowen's house and the Yfurria place where we lived; between

these two houses they halted and shot about a dozen or more shots through Louis Cowen's house, shattering the large mirror in her wardrobe, and also shot a chiffonier all to pieces in another room, and still in another room shot another wardrobe or piece of furniture to pieces, and even shot the lamp chimney off the lamp and put the lamp out; and many other shots were fired through the house. It was a miracle that the children and Mrs. Cowen were not killed; but while they were shooting near the garrison and coming up the alley, Mrs. Cowen hid the children under the beds, having them lay flat down, and she also crouched flat down on the floor; this is all that saved them.

I was in my room at the Leaby Hotel—the first room on the left as you go up the stairway—and from the window saw the whole thing, but could not tell they were shooting in the house, and I had no arms whatever to do anything with, and if I had done anything they would have stormed the hotel and killed everyone in it. They then marched on up the alley, shooting at everything in sight, until they got to the Miller Hotel, which they proceeded to bombard in great shape, shooting at every window where a light was visible. But I forgot to say that before they left the corner of Mrs. Cowen's place, they fired a couple of shots into the Leaby Hotel, but they did not go through the brick walls. At the bombardment of the Miller Hotel, the police attempted to attack them, but the brave and valiant (?) Brownsville police were put to flight in a very few seconds, and the lieutenant of police, Joseph Dominguez, the same man who was shot by Baker, the soldier I defended and cleared a couple of years ago, had his horse killed under him and his right hand shot all to pieces, and which necessitated amputation of the hand and part of the arm; then they went on up the alley, and in the old Jagou place, where a saloon is kept, they fired in from the alley and killed the barkeeper, a very good young man named Frank Natus; they proceeded around on Elizabeth street, and shot up all the houses; in another part of the town, around near old lady Sauder's store, in one of her neat cottages, where Fred. Starck lived, they fired eight shots through the bedrooms, but Mrs. Starck had had all of the children to lie down on the floor, and were thus saved. Many other residences were shot into, among them old man Rendall's, one shot passing just over him as he laid in bed. It was a fearful night, no one expecting such a thing, and no one being prepared to meet the occasion. When they got tired, they returned to the garrison. Yesterday we had a mass meeting of the people and some steps were taken to investigate the matter and arrange some sort of defense, but practically nothing was done.

I am of opinion that there is great danger of another and far worse outbreak. The negroes were mad because they were not allowed to drink at saloons beside the white people, several of them had been knocked over the head with pistols by some of the valiant (?) people for very trivial cause.

If another outbreak is made the results will be very serious indeed. Well, dear, there is nothing to write. So with much love and kisses for you and the children, I am,

Lovingly,

PAPA.

Mr. BACON. Mr. President, I think the present condition of the Chamber justifies me in suggesting that a quorum is not present.

The VICE-PRESIDENT. The Senator from Georgia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Carter	Frye	Perkins
Ankeny	Clay	Fulton	Piles
Bacon	Cullom	Gallinger	Richardson
Bankhead	Dick	Gamble	Smith, Mich.
Borah	Dillingham	Gary	Smoot
Brandegee	Dixon	Kean	Stephenson
Briggs	du Pont	Long	Stewart
Brown	Elkins	McCreary	Taliaferro
Bulkeley	Flint	Milton	Teller
Burkett	Foraker	Nelson	Warner
Burnham	Foster	Nixon	Warren
Burrows	Frazier	Overman	Wetmore

The VICE-PRESIDENT. Forty-eight Senators have answered to their names. A quorum is present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 20063) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes.

Mr. GALLINGER. Understanding that the Senator from Missouri desires to address the Senate, he having given notice to that effect, I ask that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. ALDRICH. I should like to have some understanding, if we may, as to when this bill will be taken up to-day. Some of us may want to discuss some of its provisions.

Mr. GALLINGER. The Senator from Rhode Island, I am sure, need not have any assurance on my part. I will urge the consideration of the bill as speedily as possible. I want to get it off my hands more than the Senator from Rhode Island wants to have it disposed of. I think there will be no difficulty, after the Senator from Missouri has spoken an hour or so, in proceeding with the consideration of the appropriation bill.

The VICE-PRESIDENT. The Senator from Missouri will proceed.

Mr. WARNER. Mr. President, while it can not be said from the evidence that the police of Brownsville exhibited any excess of courage during the time the raiders were shooting up the town, yet the old veteran, Lieutenant of Police M. Ygnacio

Dominguez, exhibited a high order of courage. He was the hero of the night. When attracted by the firing at or near the fort while in the police headquarters, he immediately mounted his horse, riding down Washington street to the corner of Washington and Fourteenth, where he met policeman Padron; from Fourteenth street he returned to Thirteenth, going on Thirteenth street toward Elizabeth street. As he crossed Cowen alley in front of the Miller Hotel he saw two squads of soldiers. He testified:

Q. And what was their location; right at the mouth of the alley?—A. No, sir; they were coming by the gate, just about 25 feet away, you know. From the gate to the corner of Thirteenth street is about 25 feet.

Q. Where were you then?—A. I was crossing the alley when I heard the words "Give them hell" and at the same time I saw one file on the Miller Hotel side and one on the Bolack side.

Q. And how far would they be from you, then, when you heard them say "Give them hell"?—A. How far would they be from me when I heard them say, "Give them hell?"

Q. Yes.—A. They were about 25 feet, more or less, from the gate to the corner of Thirteenth street, from the gate, and crossing the alley.

Q. Could you see distinctly that they were soldiers?—A. Yes, sir; they were soldiers; I could see them.

Q. They were colored soldiers?—A. Yes, sir; they had uniforms. I saw plainly that they were soldiers. It was a clear, light night—starlight.

Q. After the words there that you heard, "Give him hell," or "Give them hell," whatever it was that was said, was there a volley then fired, or shooting?—A. After the words were said, you know, they fired a volley.

Q. Now, go on and state just where you went then.—A. I crossed and went on on Thirteenth street toward Elizabeth street, hollering to the people at the Miller Hotel to escape themselves, and to put out their lights, because the colored soldiers were shooting the people.

Q. You went down the street giving that alarm?—A. That alarm, yes, sir; because I thought that was the best judgment I could use, because I could not stand against fifteen or twenty men.

Q. To alarm them?—A. To alarm the hotel, because that was a large hotel, and there were people coming from all over the United States stopping there with their families, and there were women and children, and I thought that was the best judgment I could use, not to stop and try to arrest them, but to go on and make an alarm, so that they could escape themselves.

Q. Well, go on.—A. I proceeded on Thirteenth street, and immediately after that they came out, and one fired at the Miller Hotel on Thirteenth street.

Q. Pardon me a moment. Where did you go then, when you left up there at Thirteenth street and the alley, at the corner of the Miller House? You went down toward Elizabeth street, you say?—A. I went on Thirteenth street toward Elizabeth street; yes, sir. (P. 2113.)

Q. Those men who came out of the alley you say were colored soldiers? How many were there that came out?—A. There were about fifteen or twenty, I believe; more or less.

Q. Could you see whether or not they were armed—carrying guns? They had guns, had they?—A. Yes, sir; they had guns. I could see their guns.

Q. And you saw their uniforms and knew they were soldiers?—A. Yes, sir; I saw their uniforms and knew they were soldiers.

Q. And you say they shot you?—A. They shot me and shot the horse. That was on the corner of Elizabeth street and Thirteenth street.

Q. Did the horse fall there?—A. He stumbled. After they shot me and shot the horse he stumbled, and at the corner I turned my back and I got hold with this hand of the reins and shot him across the street, and he fell right across over there [indicating]. (P. 2115.)

Mr. Hale Odin, his wife, and five children, the oldest being but eleven, occupied, on the night of the shooting, a large corner room on the second floor of the Miller Hotel. Mr. Odin's home was in San Antonio, he being a native of Michigan and a graduate of the university of that State. This I do not regard as important, as a man's truthfulness does not depend on the place of his birth or the section of the Republic in which he lives.

Mr. Odin was a land and immigrant agent, having occupied that position for over thirty-one years. His business called him to various parts of the United States. When the shooting commenced he was sitting at the window opening on the alley, there being in the room two other windows opening on Thirteenth street.

Mr. Odin in his sworn statement before Messrs. Purdy and Blocksom gave a clear statement of what he saw and heard on that night, and his statement bears on its face the evidence of its truthfulness.

Of it I give the following questions and answers:

Q. Now, Mr. Odin, will you proceed to state, in your own words, just what you know about the shooting which occurred on that night in the city of Brownsville?—A. At 11.55 p. m. on the night of the 13th of August, 1906, I was sitting in the alley window of our room in the Miller Hotel, on the second floor, when I heard shots in the direction of the alley toward the fort. I noted the time; it was 5 minutes of 12, and I counted about 60 shots before they arrived at our windows. During this time I called my wife, and immediately after she and my little boy came to the window we heard persons upon the run coming toward us in the alley from the direction of Fort Brown, and when they passed our windows I counted 6 negro soldiers, 3 abreast in two columns, with one soldier running alongside, who stopped, crossed the alley opposite our windows, and one large negro soldier gave the order "Halt!" and said, "There he goes; shoot!" and they fired a volley. Immediately one other negro soldier joined them from the same direction from which the other 7 had come. Then there were 4 more negro soldiers followed and joined the other 8, these 4 coming also from the direction of Fort Brown through the alley. Before the first soldiers arrived I noticed a large

black dog running through the alley ahead of the soldiers, and supposed that it was a mad dog that they were chasing and shooting at. Then a second order was given to fire and they fired again to the left or toward the river. Then one large negro soldier stepped back to the center of the alley, slightly in the rear of the other 11, and raised his gun, and at this time another volley was fired. Immediately following this report the large negro with freckled face fired point-blank at us—Mrs. Odin and my son Lee and myself in the window. The ball from his rifle passed through the lower window sash and up into the ceiling in our room and the jacket of the bullet fell back on the floor. I picked it up the next morning and later forwarded it to the Secretary of War. We had a lamp in the room burning but turned partly down. From the flashes of their guns we could see the soldiers distinctly and I discerned their uniforms and dress and the color of their faces and could hear the voices as the command to fire and other remarks were made. Seven of these soldiers had on their usual dark brown uniforms; four were without jackets and one without a hat—was bareheaded. They all carried rifles and one carried a revolver—possibly two. The one that gave the order carried a revolver. When the two volleys were fired the large negro soldier, who gave the order said, "We got that white — of a —" and immediately after the shot that was fired into our window the other negro, who fired the shot at us, said, "We got another white bastard." This was immediately following this shot directed at us when our little son fell back upon the floor as if shot, and we picked him up.

Q. What did you do then, Mr. Odin?—A. We heard a heavy fall, as of a horse or some animal, and a groan, which sounded like the groan of a dying horse. Then we heard a scream from a man and immediately following this we heard somebody running northward up the street that faces the Miller Hotel, which is Elizabeth street. Then an order was given to "shoot this way," and a volley was fired to the right on Thirteenth street. Then they crossed Thirteenth street, nearly to the opposite side, and fired a volley into the Miller Hotel from Thirteenth street.

Q. Where were you and your wife standing at that time?—A. I was standing at the window looking out on Thirteenth street.

Q. You had left the window facing on the alley?—A. Yes, sir; had just stepped across the room.

Q. Who, if anyone, was with you at the window?—A. Mrs. Odin.

Q. And where did you see these men at that time—where were they standing?—A. They were nearly to the alley on Thirteenth street—on the north side of Thirteenth street.

Q. About how many men did you see there?—A. Twelve men.

Q. Did you at that time stop to count them or was your estimation just made from the general appearance?—A. I saw them all pass over and I counted them and said to my wife, "There are just twelve of them."

Q. Now, you may go on and state what happened then.—A. After firing at the Miller Hotel they passed northward up the alley—a part of them at least.

Q. Did you see any go east on Thirteenth street?—A. No, sir; but of course some may have gone east on Thirteenth street without my having seen them.

Q. Where did you hear firing then?—A. In about two minutes after they passed northward up the alley I counted five more shots, and in about two minutes thereafter 12 negroes—negro soldiers—appeared again going toward Fort Brown, and crossed Thirteenth street and entered the alley at the rear of the Miller Hotel.

Q. Going in what direction?—A. Going toward Fort Brown on double-track and passed out of sight.

Q. Did you hear any more shooting after that?—A. I did not.

Q. So the last shooting you heard was up the alley, on the north side of Thirteenth street?—A. Yes, sir.

Q. Now, when these soldiers were in Thirteenth street at the mouth of the alley, at the time they were doing the shooting into the Miller Hotel, could you see how they were dressed?—A. Yes, sir; they were dressed in brown uniforms and a broad-brimmed soft hat, such as the soldiers wear.

Q. Now, Mr. Odin, at the time they were in Thirteenth street there, could you distinguish the kind of dress that they had on at any time other than when they were firing?—A. I could when they were in Thirteenth street, but I could not when they got into the alley.

Q. Then when they were in the alley, either to the north or to the south of Thirteenth street, you could not distinguish the way in which they were dressed, except by the flashes of their guns?—A. We could tell them when they were at the rear of the Miller Hotel when they were not firing.

Q. But when they were across the street, to the north of Thirteenth street, you could not tell them except for the flashes of their guns, or how they were dressed?—A. No, sir.

Q. Will you describe as nearly as you can the light, if any, that seemed to be upon these men during the firing that night in Thirteenth street, out of the alley?—A. The lights from the street lamps from Elizabeth and Washington streets gave us plenty of light to distinguish them plainly, and their dress, and to tell distinctly that they were negroes.

Q. Did you have any difficulty at the time, Mr. Odin, in seeing the faces of these men?—A. No, sir; for they were at times looking up directly toward the window.

Q. And you state positively that they were negroes?—A. Yes, sir.

Q. And dressed in the uniform of United States soldiers such as were stationed at Fort Brown at that time?—A. Yes, sir.

Q. Now, Mr. Odin, will you state as to the character of the voices of these men who spoke during the shooting?—A. They spoke in the manner and vernacular of the negroes. If I had not seen them by the flashes from their guns I would have known by their voices that they were negroes by the manner of their speech and accent.

Q. Now, you state that you were sitting in one of the windows facing on the alley in the rear of the Miller Hotel, on the second floor, when you first heard shots that night.—A. Yes, sir.

Q. In what direction were those first shots that you heard?—A. Down the alley, toward Fort Brown.

Q. And from the time you heard those first shots until the time you heard the last shots to the north of Thirteenth street, in the alley, about how many minutes elapsed?—A. About twelve minutes.

Q. Did you, Mr. Odin, see the lieutenant of police, Dominguez, on that night?—A. No, sir.

Q. Did you hear a horse going by on Thirteenth street in the direction of Elizabeth street?—A. Yes, sir.

Q. How long was that before you heard firing or saw them firing in the alley at the rear of the Miller Hotel?—A. About a half minute.

Q. Did you see any person on Thirteenth street during the time of this firing other than these colored soldiers?—A. No, sir.

Q. Mr. Tillman has stated that he passed along Thirteenth street, going toward Washington street from Elizabeth, a short time before the firing occurred in the vicinity of the Miller Hotel. Did you see or hear him?—A. I heard some one person pass up Thirteenth street.

Q. But you did not see him?—A. No, sir.

Q. That was before the firing had approached the alley toward the Miller Hotel?—A. Yes, sir.

Q. I will ask you, Mr. Odin, whether you know where Mr. Starck's house is located that was fired into that night?—A. No, sir.

Q. I will show you this plat (Exhibit A) and point out to you the location of Mr. Starck's house (which is No. 6 on this plat) on Washington street between Twelfth and Thirteenth streets, and ask you whether you heard any firing in that direction on that night?—A. I did not.

Q. After these men passed across Thirteenth street, going north in the alley, you heard some firing in the direction in which they had gone, did you not?—A. Yes, sir.

Q. About how many shots?—A. Five.

Q. Where were you at that time?—A. I was standing at my window facing on Thirteenth street.

Q. Did you remain at your windows during all this time or did you at times go back into the room with your wife and children and then return to the window again?—A. I only left the window once during the time the shooting was going on, and that was during the time they were shooting north of us up the alley and while the soldiers were out of my sight.

Q. When your little boy fell back into the room, what did you do then?—A. My wife said, "They have shot Lee," and I said, "I reckon not; see if there is any blood on him;" and he said, "Mamma, I am not shot, but they came pretty near me." I was standing at the north window at the time.

Q. Where were your other children during this time, Mr. Odin?—A. They were in bed, except our little girl, who was standing by our side.

Q. Was she with you while the firing was going on in the alley at the rear of the hotel?—A. Yes; standing behind us.

Q. How old is she?—A. Three years old.

Q. Your other children were in bed, were they?—A. Yes, sir.

Q. Do you know whether they were asleep or not?—A. They were all awake, except the older one.

Q. How old is he?—A. Eleven years.

Q. He did not awaken during all the firing?—A. No, sir.

Q. Mr. Odin, as you sat at the window on the night of the 13th of August about 12 o'clock and heard the shooting down in the vicinity of Fort Brown and further down the alley in the direction of the fort, did you anticipate at that time that there was any trouble or that the soldiers were shooting into the houses in the city of Brownsville?—A. No, sir.

Q. After the soldiers reached the rear of the Miller Hotel, did you anticipate that there was any trouble of any kind?—A. No, sir; not until they shot at the policeman.

Q. And then, for the first time, you appreciated the fact that there was serious trouble?—A. Yes, sir.

Q. How long after that was it that the shot was fired into your room facing on the alley?—A. Immediately after that.

Q. From the time when you heard the first shots until you heard the last ones that night, was there anyone in your room other than the members of your family?—A. Yes, Mr. Davis, the hotel clerk.

Q. About what time did he come into your room during that shooting?—A. He came into our room during the time that the soldiers were up the alley at the rear of Tillman's saloon.

Q. Was he the only one in your room during the shooting?—A. Yes, sir.

Q. So during the time that the soldiers disappeared up the alley going north nobody had been in your room except the members of your family?—A. No, sir.

Q. And during that whole shooting did you or Mrs. Odin or any of your children leave your room?—A. No, sir.

Q. What light was there in your room that night when the shooting commenced?—A. A small oil lamp, turned partly down.

Q. Was the light turned down before any shooting commenced at all?—A. Yes, sir.

Q. During the progress of the shooting was the light interfered with in any way by either you or your wife?—A. No, sir.

Q. It was left in the same condition as when the shooting began?—A. When they left the alley going north my wife blew out the light.

Q. Mr. Odin, from the time that the men appeared there at the rear of the alley until they disappeared in the alley across the street, and during the whole of that shooting, both into your room and at the officer going down the street, and the different volleys that you have spoken about, about how long a period of time elapsed, in your judgment?—A. About one and one-half minutes, more or less, I should judge.

Q. I will ask you, from the direction of that shot which entered your room, where it must have been fired from?—A. From about the center of the alley at the rear of the Miller Hotel.

Q. Did you go into the room on the third floor immediately over your room that next morning?—A. No, sir.

Q. You don't know then what became of that shot that went into the ceiling of your room?—A. No, sir.

Q. How long after this occurred, on the night of the 13th of August, was it before you and your wife and family left Brownsville?—A. We left on the following morning, the 14th of August.

Q. Where did you go from there?—A. To Corpus Christi and San Antonio.

Q. Have you been back to Brownsville since that time?—A. No, sir.

Q. Will you describe more particularly the condition of the window sash, the window out of which you were looking at the time the shot was fired on that night apparently at you and your wife?—A. The lower sash of the window was raised to the height of our heads, and we were looking out with the top of our heads underneath the sash, and there was a wire screen in the lower half of the window. I was at the left side of the window, Mrs. Odin next to me on the right with her head close to mine, and our little boy at her side, with his face against the window screen. The ball entered the screen, then went through the sash, passed through it diagonally, and then went into the ceiling at about 4 feet from the rear of the room. Just before this shot was fired, the little boy raised up and said, "Mamma, what is going on?" I said, "They are shooting the mad dog," and then the shot was fired into our window.

Q. At the time this was fired into your window, will you state more particularly what you saw and heard in the alley?—A. Immediately before this shot was fired in our window, the other soldiers fired a volley apparently down Thirteenth street to the left, and almost instantly the man who fired at us raised his gun and shot into our window and the flash from the other soldiers' guns revealed his face plainly, looking up and shooting at us, and he exclaimed, "We got another white bastard."

Q. Now, Mr. Odin, I will ask you about the distance from your window to the man who fired the shot at you?—A. I should say from the end of his gun to our faces it was about 12 feet.

Q. Do you recall anything else that happened there that night, concerning which I have not interrogated you, and about which you care to make a further statement?—A. No, sir.

Q. Were you before the grand jury or the citizens' committee that investigated this affair?—A. No, sir.

Q. Have you made any written or sworn statement to anyone other than the statement you make here to-day?—A. No, sir; I have not.

Q. Now, Mr. Odin, you have testified as to what you saw and heard there that night; I will ask you whether there has ever been any doubt in your mind as to whether those men were negro soldiers?—A. Not the least.

Q. You stated in the former part of your testimony that there were 12 negro soldiers in the rear of the Miller Hotel, and that you saw them and counted them. Will you explain how you happened to count them there that night?—A. Because the first six came up three abreast in two columns, with another negro at their side, making seven. They stopped at the mouth of the alley and then one by himself followed behind on the run as the other ones ahead, and directly four more came up two abreast on double quick or on the run; that made twelve.

Q. So, Mr. Odin, from the arrangement in which these men came up the alley you were at once enabled to make a calculation as to how many men there were there?—A. Yes, sir.

Q. They were not all huddled together in a bunch or crowd?—A. No, sir.

Q. Now you have stated that when the men came back after the firing had ceased up in the rear of Tillman's saloon that there were 12 of them, and that you saw them out of your window which opens out onto Thirteenth street. I will ask you how you made that estimate as to the number?—A. Because they came three abreast in three columns and two abreast following behind, and one nearly at the front at the side. The three in front stopped about 10 or 12 feet from the mouth of the alley or in the street, by an order to halt. The next three were close behind them, also the next three, and also the remaining two, and the single one was nearly at the front of the first row of three. Then the second row filed up in line with the first, and the remaining six separated about 10 feet from them to the west, and they stopped in the same order, and they came down the alley. Then some order was given (I could not hear that distinctly), and they formed a line of six about 10 feet apart, and remained about six or eight seconds, apparently looking up and down Thirteenth street. Then they formed in columns of three again, and an order of march was given, and they passed toward the fort, across the street and down the alley on the opposite side from our window, and disappeared.

Q. How were they marching—running or walking?—A. They were on the double-quick; they started on the double-quick. But about the time they entered the alley they were running very fast.

Q. Could you tell whether or not at that time they broke their formation?—A. Yes; I could see them as they passed along; they were in file as they passed out of sight.

Q. But at that time you state that they were running?—A. Yes, sir; and I heard them running after that.

Q. Did you see them enter the alley at the rear of the Miller Hotel?—A. Yes, sir. I went over from the Thirteenth-street window to the rear-alley window and saw them as they passed out of sight.

Q. And how far down the alley were they, about, when you lost sight of them?—A. About 15 or 20 feet down the alley from my window, I should judge.

Q. And that is the last you saw of them?—A. Yes, sir.

Q. Mr. Odin, I will ask you whether you saw any empty shells in the streets of the city of Brownsville the next morning?—A. Yes, sir.

Q. State under what circumstances?—A. I went into the alley about 5 o'clock the next morning and picked up a handful of empty shells. I found these shells all the way from the middle of Thirteenth street and in the mouth of the alley and down the alley at the rear of the hotel and some of them near the mouth of the alley north of the hotel, and soon after this I met a policeman who had several shells in his hands and I gave him part of those I had, and presently (I don't know how long) the mayor and several other citizens assembled, who also picked up a number of shells in the vicinity of the hotel.

Q. What did you do with the shells that you picked up?—A. I gave them to the policeman and to the mayor. I brought 5 home with me and I gave them to different people. I don't remember to whom I gave them. I gave them all away.

Q. I will show you these empty shells and ball cartridges which were given into my possession by the mayor and sheriff of Cameron County, and ask you whether the ones which you picked up on the morning of the 14th of August in the streets of Brownsville in the vicinity of the Miller Hotel were similar to those?—A. Yes, sir; they appear to me to be the same.

Q. Were you at home at the time that your wife made this statement to Mr. Stevens and the clerk here at San Antonio a few weeks ago?—A. No, sir; I was in Nevada, Mo.

Q. Do you think of anything else with reference to which you care to make a statement?—A. I would like to explain that the reason I was so certain about the shooting and the identity of the persons who did it, and about the number of shots fired, is because I have all my life been in a country where there has been a great many town "shootups" (that is what they call them), and been accustomed to hearing shooting in the frontier towns, and on several occasions I have been in towns where there was a good deal of shooting done, that it became almost a habit that I kept pretty correct account of what happened. I was not alarmed or scared. In fact, I did not believe that there was anything serious happening until we heard the policeman's horse fall and immediately saw the negro raise his gun to shoot into our window. Then for the first time I realized it was a town "shootup." (P. 2929.)

Mrs. Odin fully corroborates the statements of her husband. I here quote from her affidavit given before Messrs. Purdy and Bloksom:

Q. Now, Mrs. Odin, I will ask you to go on and state, in your own words, just what you saw and heard there on that night.—A. About 12 o'clock that night, the 13th of August, I was lying in bed, with our little baby just a year old, and he was sick. I was giving him some medicine at the time, when Mr. Odin was standing in the window facing the alley. The shooting commenced down toward the fort, and Mr. Odin called to me to come to the window, and when I went I heard the negroes coming up the alley in our direction. So we stood and looked out and watched them come up, and they commenced firing, and one negro said, "There he goes." First, though, they said, "Halt," then, "There he goes, shoot," and they commenced shooting, and they shot several shots, and directly I heard a horse go down the street toward the river and heard the horse fall, and the man cry out. I could not

understand what he said, but directly heard him running up the street, the street in front of the Miller Hotel. They were firing all this time, and one of them exclaimed, "We've got that — of a —." Just then our little boy, sleeping in a bed right by the window, raised up and said, "Mamma, what's going on?" I told him to keep still, and just then one of the soldiers looked up and blazed away at me. Our little boy dropped, as though he was shot, down onto the floor. My little boy was standing on the foot of the bed, which made him almost as high as I was. I was standing at the foot on the floor. I picked him up and laid him back in another bed; went and turned the light down, which was partly down; in fact, I guess I blew it out; yes, I blew it out; then went back to the other window facing on the alley. By the flash of their guns I could see all their faces plain, and the color of their clothes, which were soldiers' uniforms. Some of them did not have on their coats. There were four of them that did not have on their coats—just in their shirts, and I think there were two that had revolvers. I know there was one, and when he shot at me he said, "We have another white bastard." Then they started out into the middle of the street, and I walked across to the window on Thirteenth street and stood just far enough back where I could see out of window, and they turned around and shot up in the direction of the hotel. I do not know whether they shot at the hotel or not, but they shot in the direction of it. Then they started up the alley toward Tillman's saloon, and I watched them until they got out of sight. All this time I could see that they were negro soldiers, and were in the uniform of the soldiers; and directly I heard five shots in the direction of the saloon. Then they came running back toward the fort.

Q. Mrs. Odin, I will ask you whether you saw them when they came back toward the fort?—A. Yes, sir.

Q. You may go on and describe just how you happened to see them and about how many there were and what they were doing, and where you saw them.—A. When they were on Thirteenth street, the side of the hotel, they were standing still there when they were shooting, and I counted twelve of them, Mr. Odin and myself, and when they came back in the direction of the barracks they were almost on a run. Of course, I did not count them then, but we could see all the time. There was a dim light shining from both lamps at each corner there, so we could see the color of them and their dress. I just saw them when they passed back by there, and that was the last of them; they were not shooting then.

Q. The last shooting that you heard on that night was up in the vicinity of Tillman's saloon, by the alley?—A. Yes, sir; the five shots that were fired last, when the Mexican boy was killed.

Q. Now, will you describe the size of the room which you and your husband occupied that night, and the location of the windows?—A. It was a large room, almost square. It had four beds in it, and four windows, two facing the alley, and two on Thirteenth street. The door to the room was open, with just a screen closed at the time of the shooting, and there was a dim light shining from the hall as well as from our room, and I suppose they could see that light, and they could see figures through the window.

Q. Will you describe more particularly the window in which you and your little boy were standing at the time the man fired at you?—A. The sill was about 3 feet above the floor, and my little boy was standing to the right of the window on the foot of his bed, and the end of the bed stood just about a foot along the side under the window, and I stood to the right of Mr. Odin, and Mr. Odin stood at the left of me on the floor, and I had my head leaning against the sash. The window was up and there was a screen in the window when this negro looked up and shot. He was a speckled-face negro.

Q. How could you tell that this negro that fired at you was a speckled-face negro, as you describe him?—A. Because he held his gun right up this way [pointing], and the flash of his gun was like a fire. You could see the spots on his face. I had never seen him before or since.

Q. About how far were you away from him at the time he fired at you?—A. About 12 feet from the muzzle of the gun he was pointing at me, I should judge, and he shot right through the screen and through the window sash and through the shade and curtain—a dark-green curtain—and the bullet just passed through my hair, and my face smarted a little bit. I did not light any lamp that night, but looked at myself in the glass the next morning, and my face was powder burned and I used vasoline on it for about a week afterwards. I stood just in the middle of the window and it passed right through the edge of my hair.

Q. Did you see that night or the next morning any marks of that bullet which you said went through your hair?—A. About daylight I got up and went to the window and looked out and saw the hole in the window, through the screen and shade, and looked up at the ceiling and saw a piece of plastering was torn off, just directly over the dresser. The jacket fell back into the room, and I picked up the jacket and gave it to my husband, and I understand he sent it to the Secretary of War.

Q. Did you hear any of these men talking in the alley at the time they were doing this shooting?—A. Yes, sir; they kept saying "There he goes, shoot," and we supposed at the time he was shooting at a dog.

Q. That was about the first conversation you heard?—A. Yes, sir.

Q. After that, what other conversation did you hear?—A. Nothing, except when they spoke about—when they said "We've got that — of a —," and immediately after that, "We've got another white bastard."

Q. Could you tell from that talk whether they were colored people or white people who did the shooting in the alley?—A. Yes, sir; they had the accent of the negro.

Q. At what place were these men standing when you had the best view of them?—A. Right at the mouth of the alley.

Q. On which side of Thirteenth street?—A. The side toward the Miller Hotel.

Q. Was there anybody in your room other than the members of your family on that night?—A. No, sir; there was no one in the room, except after it was all over Mr. Davis, the night clerk, came up and asked us if they had shot into our room, and he was the only one that was in our room during that night.

Q. Did you or your husband, or any member of your family, leave your room that night?—A. No, sir; except once when I stepped out into the court and went to Mrs. Moore's room and knocked on the door and asked how Mrs. Moore was. Mr. Moore said she was very sick in bed from the shock, and I returned to my room.

Q. I presume that you were awake the greater part of the night?—A. We never closed our eyes again until morning. We were afraid they would come back. Our little girl could not sleep for two weeks afterwards. It made her nearly have nervous prostration, and we left the next morning on the first train.

Q. Have you ever been back to Brownsville since that time?—A. No, sir.

Q. Will you state how these men were dressed and the color of their clothing?—A. They were dressed in the uniform that the soldiers wear—brown, and soft brown hats, and looked just as they always did when marching up the street, except four of them, who were in their shirts. The shirts that these men had on seemed to be a little lighter than their uniform.

Q. Where was your husband standing in the room, as nearly as you can remember, during the time this shooting was going on?—A. First he was standing in the alley window furthest away from Thirteenth street, and he remained there until they had gone out on Thirteenth street and until that window was shot into, and then he stepped to the other window facing on the alley nearest Thirteenth street, and remained there until they went by the alley. Then after they came back he stepped to the window facing the alley and stood there and saw them go back in the direction of the fort.

A Mr. Preciado, the editor of a Spanish paper published in Brownsville, and a Mexican by birth, testified that he was in the Tillman saloon when Frank Natus, who was killed, started for the back door to close it, and that before he reached the door, four or five men crowded in through the gate into the yard of the saloon, which was brilliantly lighted, and that he recognized the intruders as colored soldiers. This yard, in the rear of the saloon, was used rather as a summer garden and the door into it was from the alley. This witness testified that the shooting proceeded up into the town from the Fort. Mr. Preciado described the Tillman saloon and the courtyard as follows:

A. The saloon is divided into two rooms, which open into Elizabeth street. One was a fruit store, the other was the saloon. This room had a division in the center. On the right, next to the street, white people were served, and there was a sign pointing in the other direction, this sign consisting of a hand and had a sign below it saying "Negroes." In the rear there was a square courtyard used as a summer garden, in which there were three or four lighted lamps.

He further testified that during the early part of the shooting he and the party with him went onto the pavement or sidewalk, where they heard many shots, and that while standing there Joseph Crixell, the owner of the saloon across the street from the Tillman saloon, cried out: "Close up, for here comes the negroes." That at that time Frank Natus closed the front door, at the same time remarking—

The door of the alley is open; I am going to close it.

What took place at that time is described as follows by the witness:

He (Natus) took a pistol from below the bar, or counter, and went in the direction of the door of the alley. I followed after him six or eight paces behind. He was approaching the cistern when Nicholas Sanchez Alanis was in the back part. He had gone to the toilet and he shouted to Frank Natus, "Don't go out; a noise is heard in the alley." Then Frank Natus turned as if to go in the direction of the saloon. At this moment a group of five or six armed men appeared and fired. One of the shots entered Frank Natus here [indicating].

Q. That is, in the side?—A. Yes, sir; as he turned to go in the direction of the saloon.

Q. As he turned to go in the direction of the saloon?—A. Frank Natus, in view of the voice that he had heard, Nicholas Sanchez Alanis telling him to return because there was a noise in the alley. At the moment he wished to return appeared a group of men at the door, and they began to fire.

Q. Was that the door or gate of this courtyard?—A. The gate or door of the court which opens upon the alley. Frank Natus received a shot and fell upon his back, saying, "Oh, God." (P. 2301.)

This witness further testified that one of the shots pierced his vest and also that he received a slight flesh wound on the hand. He further testified:

Q. The next day did you notice, or have you since, where the bullets struck there anywhere at the Tillman saloon?—A. Yes, sir.

Q. How many marks of bullets have you seen there?—A. Four.

Q. Did you see by the light that there was in the courtyard whether or not it was soldiers who did the shooting?—A. Yes, sir.

Q. How do you know they were soldiers?—A. Because by day the soldiers could be seen dressed in their habitual clothing. Their color and clothing was well known there, because very different from that of others.

Q. Was the uniform that these men were wearing the soldiers' uniform?—A. Of the soldiers; yes, sir.

Q. Also, could you, by the light in the courtyard, tell that they were colored men—negroes?—A. It was possible to distinguish.

Q. Did you distinguish?—A. Yes, sir.

Q. How many were there who came to the gate, or just inside the gate, whatever it was?—A. There were five or six, but I did not have an opportunity to count. They were moving.

By Senator OVERMAN:

Q. Were they black men or white men? You said you could distinguish?—A. Colored men.

By Senator FRAZIER:

Q. Did they come inside the gate?—A. Within the gate, three or four paces. (P. 2303.)

The evidence of this witness is shaken by the fact that he signed an affidavit before the grand jury in which he said: "I could not see anybody in the alley, as it was dark out there and I was in the light." Yet, as this witness testified, his examination before the grand jury was by questions and answers and he does not understand English. His affidavit is written out in narrative form, not containing questions and answers, and that it was true that he could not see in the alley because it was dark, but that he never had testified that he could not see the parties who did the shooting, who were inside of the entrance from the

alley to the court. And certain it is, if credence is to be given to the statement of this witness, he was in a position giving him full opportunity for observation, and he could necessarily distinguish citizens from soldiers and white men from colored men. It is also true that there is no evidence that, up to the time that Frank Natus was killed, there was no one upon the streets of Brownsville armed and firing upon the citizens save the raiding party that had started from Garrison road in the rear of B Company barracks, marching along Cowen alley and shooting into houses on their march of destruction.

Doctor Combe, the mayor of Brownsville, and a practicing physician for nearly twenty years, having seen five years' service in the Army and being chief surgeon prior to his muster out, testified that his military service was in Cuba and the Philippines, and that he was familiar with the character of wound made by a high-power gun, and that within a few minutes after the killing of Natus he learned of his death and went to the Tillman saloon and made an examination of the body, and he gave it as his opinion that it was a bullet from a high-power gun which killed Natus.

Of this expert testimony there is not a word in contradiction, and I am authorized in saying that Mayor Combe seemed to have been the one man in Brownsville who had the respect and confidence of both the soldiers and the citizens. All who testified of him as a man or officer spoke of him in the highest terms. His testimony as to Natus being killed by a bullet from a high power gun is strongly corroborative of the evidence of Preciado.

A Mr. Littlefield, a ranchman and former deputy sheriff of Cameron County, in which Brownsville is situated, testified that on the night of the affray he was in Brownsville, stopping at the Rio Grande Hotel, of which his father was the proprietor. This hotel is located on Jefferson street, between Eleventh and Twelfth streets. He testified that at the time of the shooting he was asleep, and that upon being awakened by the shots he got out of bed and went into the town, not having time to dress fully. He went down Eleventh street to the alley between Washington and Elizabeth streets—that is, the Cowen alley; at that point he turned down the alley toward the fort until he got to Thirteenth street. From there he went to Tate's house on Washington street.

As to what he saw and heard from that point he testified as follows:

Q. And Mr. Tate's house is next to the Starck house, is it not?—A. Yes, sir; Mr. Tate's house is about where that figure "6" is.

Q. And when you got up here to the corner of Thirteenth and Washington streets you turned to the left instead of the right?—A. Yes, sir.

Q. And went to Mr. Tate's house?—A. That is the direction I went; yes, sir.

Q. But what I want now is for you to go back and tell us what you saw that night, if anything, of the shooting, and the parties who did the shooting.—A. When I had got about middle way of Eleventh and Twelfth streets, in the alley, you understand, between Washington and Elizabeth streets, I seen a shot fired in front of me. That shot seemed to be about the middle of the block between Twelfth and Thirteenth streets. I seen this one shot, and I heard a number of others, probably four or five; I could not recognize just how many, and I stopped there and stood still for probably half a minute; I can not tell exactly the length of time I stood there. When that shot was fired I could see a bunch of people—a crowd of people—in the alley; that was in front of me.

Q. Up towards Thirteenth street?—A. Down towards Thirteenth street, about a block from me. I was in the middle of one block and they were in the center of another. As I told you, I stood there for a little while, and these people came up the alley towards me, probably 20 or 30 steps, until they got within about 20 feet of the mouth of the alley going into Twelfth street, and they turned back there and went towards Thirteenth street again. When I seen they were going that way I followed them on down, and I seen them as they went around the corner of the alley into Thirteenth street, and after they got out of my sight going around the corner from the alley into Thirteenth street I went on down. We were both running against the wall on the right-hand side.

Q. You mean by "running against the wall" that you were close to the wall?—A. Yes, sir; on this side of the alley [indicating], the right-hand side of the alley going towards Thirteenth street. When they got out into Thirteenth street they turned the corner, and they were out of my sight there, and I did not see them any more, and I had probably run 20 steps when I heard some firing on Washington street, over in the direction of Mr. Tate's house or of Mr. Starck's house, in that direction, and I stopped and stood still again for a while.

Q. You were then near the mouth of the alley at Thirteenth street?—A. Yes, sir; I had passed the Ruby Saloon. I was probably 20 feet past the door of the Ruby Saloon. I don't just remember. Then I stood there until the firing stopped, and then went on to the corner of the alley and Thirteenth street. I didn't run right out into the street. First, I put my head around the corner to see what was going on in the street, and I seen a bunch of people running diagonally across Washington and Thirteenth streets, in the direction of the corner of Lon Hill's office, diagonally across, you understand [indicating]. I believe that Mr. Porter lives over there.

Q. Well, go on.—A. Well, I seen those people running across there, and as they were passing they passed within about 20 feet, I suppose, of the street lamp, and I seen them. I recognized them.

Q. What did you recognize?—A. I recognized them as United States soldiers, or people in the United States uniforms.

Q. They were how far from the street lamp, then?—A. Probably, when I first seen them, they were 20 feet.

Q. And where were you at that time, Mr. Littlefield?—A. I was in the mouth of the alley, between Washington and Elizabeth streets, at the corner, you know, of Thirteenth, where the alley runs into Thirteenth street.

Q. You recognized them as United States soldiers, you say?—A. They had on United States uniforms; yes, sir.

Q. Could you at that time recognize as to whether they were dark colored men or not?—A. There was one of them that I distinctly recognized as being a colored soldier; yes, sir.

Q. What enabled you to distinctly recognize one of them as being a colored soldier?—A. Well, as I was standing there and looking at them, this one turned his head and looked back the way they had come, back toward me, and he was looking toward me, and when he looked back that turned his face directly toward me.

Q. So that the light?—A. The light was shining directly in his face; yes, sir. He had then run past the light and the light was rather between him and me.

Q. And you there recognized him as a colored soldier?—A. A. Yes, sir.

Q. At that time?—A. Yes, sir.

Q. Just state again where you were standing when you recognized him as a colored soldier?—A. I was standing in the mouth of the alley between Washington and Elizabeth streets, where the alley runs into Thirteenth street.

By Senator OVERMAN:

Q. And this man was under the light at the corner of Washington and Thirteenth streets?—A. Yes, sir.

By Senator WARNER:

Q. About how many were there in this party in which you distinguished this man?—A. I could not tell you exactly; I never counted them; there were probably from five to seven; something like that.

Q. You waited there a time?—A. I can not tell you just exactly how long I stayed there; until they got out of sight. There are some trees over on Mr. Porter's corner, and they ran under those trees and got out of sight, and I stood where I was at until they got out of my sight. (P. 2454.)

Q. You had no doubt in your mind about those being negro soldiers that you saw?—A. No, sir.

Q. In the uniforms?—A. No, sir.

Q. And this one man especially you recognized?—A. Yes, sir; one man I recognized distinctly as being a negro soldier.

Q. About how many shots, altogether, did you hear?—A. Altogether, during the night?

Q. Yes; approximately.—A. I should judge something over 100.

Q. And I think you have stated that those shots, you thought, were from high-power guns?—A. Yes, sir.

Q. Army guns?—A. Yes, sir.

Macedonia Ramirez, a policeman who had been on the force some three years, was on duty at the time of the shooting at the corner of the Alamo, and immediately started toward Washington street. In crossing Thirteenth street he met the lieutenant of police and a fellow-policeman, Genaro Padron, and upon asking of them what had happened received the reply that "the soldiers had left the barracks and were shooting up the city." About the time he met the lieutenant of police he heard a shot in the direction of the Miller Hotel. The lieutenant turned on Washington street, going in the direction of the hotel; that he followed on Thirteenth street, and that Padron, the other policeman, was separated from him by a short distance, and before reaching the Miller Hotel alley he heard a noise as of the loading and unloading of a gun. He stopped at this point. The following questions and answers give what, in part, he saw and heard from that point (p. 2226):

Q. One question there. You heard a noise as though they were loading a gun. Who do you mean was loading a gun?—A. I heard the noise that is produced by manipulating a gun.

Q. Where was this noise?—A. It was coming along the alley of the hotel.

Q. That is the alley between Elizabeth and Washington streets?—A. Yes, sir.

Q. Now, go on from where you said you went over to the Bolack store.—A. The lieutenant went on, crossing the alley. He crossed over the alley and I remained at a distance of some 30 feet from him; that is, 30 feet from the point where I was to the mouth of the alley. As he crossed the alley I heard a voice within the alley which said, as follows: "There goes one. Is he a soldier? If not, give him hell."

Q. That was in English? That was spoken in English, was it?—A. Yes, sir. The voices which I heard were in English.

Q. Could you understand what was said?—A. Yes, sir.

Q. It is a fact, is it not, that many of the Mexicans can understand English who do not speak it?—A. Yes; and I am one of those who speak it some and understand it some, but not sufficiently to sustain an interrogatory such as this.

By Senator OVERMAN:

Q. I will ask the interpreter to tell him to repeat in English what I now say: "There he goes. If he is not a soldier, give him hell."—A. (The witness speaking in English.) "There it goes. If it is not a soldier, give it hell."

By Senator WARNER:

Q. You were there at this point, about 30 feet from the mouth of the alley, and the lieutenant had passed by, and you heard this voice. What did you see and hear next?—A. I remained there. The lieutenant had passed the alley a short distance when a group of soldiers came out, with carbines, and fired at him.

Q. How do you know that they were soldiers?—A. The light which shows through the window of the closet of the hotel, together with the light on the corner of Washington street, gave sufficient light for me to recognize them as soldiers.

Q. And you were then about 30 feet from the mouth of the alley, up towards Washington street?—A. Yes, sir.

Q. State how those soldiers were dressed, if you know—that is, what uniform they had.—A. I can not define the color; it was yellow,

the color which is used during the hot weather. We, vulgarly speaking, call it "burnt yellow."

Q. Did you recognize it as being in color the same as that of the uniforms of the soldiers stationed there?—A. Yes, sir. And I had not the least doubt that they were soldiers.

Q. State whether you saw the faces of any or all of those soldiers.—A. At this moment I saw them, but not very well; not as well as I did afterwards.

Q. Go on. After this shooting of the lieutenant, where did you go and what occurred then?—A. When they fired at the lieutenant I saw that his horse trembled, as it were [indicating], and the horse ran. After they shot they said, "Here are two more," and when they said "Here are two more," I immediately left the point where I was and retreated rapidly, at which time they fired at us.

Q. Which way did you go when you retreated rapidly?—A. Towards Washington street.

Q. Go on.—A. I do not know which direction Genaro Padron took, but I followed along Washington street as rapidly as possible. I crossed Washington street in order to reach the other alley, taking the direction towards Adams street.

Q. On Thirteenth street?—A. Yes, sir. A little after crossing Washington street I felt a blow on my hat, and my hat fell, and I kept on running. I reached the corner of the alley.

Q. What alley?—A. The alley which runs midway between Washington street and Adams street.

Q. All right, go ahead.—A. I promptly arrived at the corner of the stable of Luis Champion, which has a wall of brick. I stopped. I hid myself a moment, and stuck out my head, when I saw a group of soldiers arrive in front of the lamp of Bolack.

Q. Right there, just a moment. When you stopped and put out your head, where was it you stopped?—A. I hid myself in the alley just around the corner of this brick wall.

Q. That is, the alley between Washington and Adams streets?—A. Yes, sir.

Q. When you put your head out there and looked, just state to us what you saw.—A. I saw a group of ten or twelve soldiers, a little more or less, who came with their carbines in hand, in the attitude of being prepared to fire. They were not in a formed group, but separated somewhat from one another. They came, but not slowly; at a pace rather rapidly than slowly. They came to Washington street.

Q. From where?—A. They turned on Washington street in the direction of Twelfth street, and immediately I heard a discharge.

Q. About how many shots did you hear there?—A. I can not say with any degree of positiveness. There were a number; twelve, more or less. I did not count them. It was impossible to have the judgment to count them.

Q. Did you know that this group of men that you saw there at the corner of Thirteenth and Washington streets and on Thirteenth street, turned down Washington street, were soldiers?—A. Yes, sir.

Q. What light was there at the corner?—A. Where I saw them?

Q. Yes.—A. The light of Mr. Bolack, and in the very corner of the stable of Luis Champion is a window. This window has slatted shutters, and the man who takes charge there sleeps inside, and he had a lamp, and this lamp also gave light to the center of the street, and these two lamps gave me sufficient light to enable me to see.

Q. How far is the alley from Washington street?—A. I don't know the depth of the lots in Brownsville, whether they are 100 feet or 120 feet. I do not know positively, but it is just the distance of the length or depth of a lot.

Q. When you saw this group of soldiers at the corner of Thirteenth and Washington streets, just tell us what there was that enabled you to tell whether they were soldiers, and whether they were white soldiers or colored soldiers.—A. White soldiers it was impossible for them to be, because there were no white soldiers there.

Q. Did you recognize whether they were colored soldiers or not; and if so, how?—A. Yes, sir; colored soldiers.

Q. How did you recognize them as colored soldiers?—A. Because I saw them with my eyes.

Q. About how many were there there?—A. As I said before, there were ten or twelve, but I can not speak positively, because at that moment I was not counting them.

Q. Go on, now, and state what you saw after that, and heard, if anything.—A. When I left this alley and they turned on Washington street, taking the direction of Twelfth street, where I heard this discharge, then I took the direction of Adams street and went along Adams street in the direction of Twelfth street.

Q. That is, in going to Adams street, then, you went up Thirteenth street from the alley?—A. Yes, sir; along Thirteenth street; not along the center of the street, because there is a vacant lot there, and I, as we say, cut across the lot.

Q. Not along the center of the street, but across the lot to Adams street?—A. Yes, sir.

This witness also testified that a bullet went through the crown of his hat when he was retreating.

The other policeman, Genaro Padron, who had been a member of the police force for four or five years, when the shooting began was on duty on Elizabeth street, his beat extending from Garrison road to the corner of Thirteenth and Washington streets. When he was there the raiders were firing at the lieutenant; he discharged his pistol at them, and the raiders fired at him. He retreated some distance, and upon reaching the corner of Twelfth and Washington streets the raiders again fired repeatedly at him. He recognized the parties doing the shooting as being soldiers. He testified:

Q. When you speak of seeing soldiers, how do you know that they were soldiers?—A. Because they wore the uniform of soldiers—yellow.

Q. Were you near enough to tell whether they were white men or colored men?—A. I could not tell, in view of my surprise, as they were firing at me.

Q. Are you sure that they had the soldiers' uniform and were soldiers?—A. The uniform was the uniform of soldiers. More than that I can not say, whether they were soldiers or not.

Q. Were they armed with guns?—A. They were armed with guns. It was possible to see that.

Q. At what point was it that you say those soldiers come out?—A. They went out of the alley to the corner known as the hotel of Mrs. Leahy.

By Senator FRAZIER:

Q. Is that the corner of Fourteenth street?—A. Yes, sir.
Q. When these men appeared, coming out of the alley between Elizabeth street and Washington street at Fourteenth, did you then recognize them as being soldiers?—A. Yes, sir; because by the light which resulted from their firing I saw all of their uniforms.
Q. In what direction were they firing?—A. Who?
Q. The soldiers?—A. They were not shooting at me.
Q. In what direction, if you know, were they shooting or were they pointing their guns when they fired?—A. They were shooting, but I do not know in what direction they were shooting.
Q. I suppose you were considerably excited, were you?—A. I was astonished, in view of what had passed. (P. 2140.)

That is the substance of Policeman Padron's testimony as to the identity of the parties doing the shooting. Of this witness it can be said that he was not a fleet witness; on the contrary, he was careful and conservative in statement.

In addition to the evidence of these eyewitnesses, Doctor Thorn, a practicing dentist in Brownsville for some thirty years—his house and office combined fronting on Elizabeth street between Thirteenth and Fourteenth streets and extending back to Cowan alley—testified that on the night of the shooting he had retired, but had not gone to sleep; that he heard the firing in the direction of the alley, as he believes, at the end of the alley and Garrison road (that would be in rear of B Company barracks); that the shooting was from high-power guns, and when the raiders were in the alley, just outside his kitchen door, he heard the remarks: "There they go," or "There he goes;" he does not remember which, but it was one or the other of these expressions, and he heard the expression "Give 'em hell," another of the raiders adding, "God d— him;" immediately there were a good many shots fired. In answer to the question—

Did you then, at that time, form an opinion in your own mind as to whether they were white men or colored men?

he replied:

Oh, I was satisfied, perfectly satisfied, that they were negroes from their voices,

and to the further question—

You entertained no doubt of that?

he said:

No doubt whatever.

This witness did not leave his house during the night, on account of his mother, who lived with him, and who, as might be expected, was much excited by the shooting.

Mr. Charles E. Hammond, a former citizen of Illinois, and engaged in land development in Texas—that is, in the buying of lands, putting in pumping plants and canals, developing them for actual settlers—testified that on the night of the shooting he was stopping at the Miller Hotel in Brownsville; but when the shooting commenced he was at the King Building, just across Thirteenth street from the hotel, and as the shooting came up the alley he went to the hotel. After testifying to first hearing the shooting in the direction of Cowen alley and Garrison road and coming on toward the Miller Hotel, on arriving at the Miller Hotel he went into the sample room and stood near a window opening out on Thirteenth street. At that time the shooting seemed to be all around the hotel; that while standing there he heard a horse go by and he heard a negro say:

There goes the — of a —; let him have it.

This witness testified positively that the voice he heard was the voice of a negro. He further testified that he had had considerable experience in the handling of firearms, using both black and white powder, and he was confident that the guns used the night of the shooting were what are called high-power guns—that is, such as the Krag or Springfield rifles. Mr. Hammond also testified that he had no prejudice whatever against the negroes, stating that he had a negro in his employ bossing fifty or sixty Mexicans. The horse that Mr. Hammond heard pass the Miller Hotel was evidently that ridden by the lieutenant of police, and it is beyond question that it was regarding the lieutenant that the remarks to which he testified were made.

Mr. Charles B. Chase, a native of Massachusetts, a locomotive engineer for nearly twenty-eight years, on the night of the shooting occupied a room on the third floor of the Miller Hotel. His run on the railroad brought him to Brownsville on Monday, Wednesday, and Friday of each week; and he went to bed on Monday night—the night of the affray—about 9.30 o'clock, and was awakened by volley firing from in the direction of the barracks; that he got out of bed, going to the window, when he saw the lieutenant of police on horseback turn from Washington street into Thirteenth street and that he watched the lieutenant until he had passed under his window; and that just after he (the lieutenant) passed he saw two men come out of the alley back of the Miller Hotel, and when they got on the opposite side of the street they stopped and fired several shots, and as the bullets came whizzing around his window he "ducked his head" to get out of the way; and in a few seconds after there was

another volley of shooting on Thirteenth street under his window. After the shooting was over he looked out and saw the horse of the lieutenant lying in the street. On being asked regarding the two men that he saw come out of the alley at the time of the shooting, he testified as follows:

Q. How many of these men was it you saw?—A. I saw two men.
Q. Two men; and they came out of the alley?—A. (Continuing.) Who I took to be soldiers, as they had soldiers' dress on—clothes.
Q. What did you mean by having soldiers' clothes on?—A. Well, they were dressed like soldiers, the same uniforms, leggings, and both dressed alike; wide rim hats.

Q. Did you have any doubt at that time of their being soldiers?—A. Well, I didn't pay much attention to them, but just like I always did, when I met a man on the street, if he had soldiers' clothes on I passed him as a soldier, and if he was dressed as a civilian I knew that he was a citizen, if he had citizens' clothes on; just the same as when I meet anyone down the street, I tell the difference between a woman and the man by the dress.

This witness further testified that the shooting commenced at or near the barracks and continued up Cowen alley past the Miller Hotel; that after the shooting Mr. Hammond, the last witness to whom I have referred, came into his room, and in answer to the question, "Who was doing the shooting?" Mr. Hammond replied, "The negro soldiers."

Mrs. Moore, the wife of the proprietor of the Miller Hotel, testified that on the night of the shooting she occupied the room next to the alley, one window of which opened on the alley and another in the direction of the post. Mrs. Moore is accustomed to the handling of firearms, from accompanying her husband on hunting excursions. She was therefore, as she testified, familiar with the sound of sporting rifles, but that the report of the guns that she heard that night was different from any which she had ever heard. The first shooting Mrs. Moore heard was in the direction of the fort, and it came up Cowen alley past her hotel. As the raiding parties were under her window she heard some one say:

Shoot him, the — of a —; there he goes, get him.

This remark was made just as the raiders passed out of the alley and turned into Thirteenth street. At this point, she says, the squad doing the shooting divided into two bodies, a number going down Thirteenth street and a part of them went right straight down the alley. Mrs. Moore was asked:

Q. But did you hear the guns when they were shooting—as though they were loading and unloading the guns?—A. It seemed like they were pulling it back, like a pump gun.

Q. Like a pump gun?—A. Yes, sir; we can pull a pump gun back, and this was the same, only louder.

Q. Like this [working bolt of Springfield rifle]?—A. Yes, sir; that is it. That is the crack.

Q. That is, a noise like pulling the magazine?—A. Yes, sir; that is it exactly. I never saw an army gun and don't know anything about the workings of them at all, but that is the way it sounded.

These answers were given by the witness upon hearing the peculiar sound made, an experiment being given of ejecting the shell of a cartridge from a Springfield rifle, in the committee room.

Anyone familiar with high-power guns and the peculiar noise made in the ejecting of the shells will give especial weight to the testimony of Mrs. Moore.

Mr. McCREARY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Kentucky?

Mr. WARNER. Certainly.

Mr. McCREARY. The Senator from Missouri has been speaking now about an hour and a half. I notice that his voice is getting hoarse. I ask consent that he may cease now and continue after the routine business to-morrow morning.

The VICE-PRESIDENT. The Senator from Kentucky asks unanimous consent that the Senator from Missouri may be permitted to resume his remarks immediately after the close of the routine morning business to-morrow morning. Is there objection? The Chair hears none.

Mr. WARNER. I thank the Senate and the Senator from Kentucky. I may say it is something unusual for me to be afflicted with such a cold as I have at the present time. It is with the greatest difficulty that I can talk at all.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GALLINGER. I ask the Chair to lay before the Senate the unfinished business.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 20063) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on Appropriations with amendments.

Mr. GALLINGER. I ask unanimous consent that the formal reading of the bill may be dispensed with, that it be read for amendments, and that the committee amendments be first con-

sidered, those in the bill and those which may be presented at the time of reading on behalf of the committee.

The VICE-PRESIDENT. The Senator from New Hampshire asks unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for the consideration of committee amendments, and that the committee amendments in the bill and those to be offered by the committee in the progress of the reading be first considered. Without objection, it is so ordered. The Secretary will proceed to read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "General expenses," on page 2, line 5, after the word "dollars," to strike out "additional compensation for two assistants to the Engineer Commissioner, detailed from the Engineer Corps of the United States Army, under act of Congress approved June 11, 1878, two, at \$500 each, and said assistants shall also act jointly as superintendent of the municipal building;" in line 11, after the word "secretary," to insert "who shall act as superintendent of the District building;" in line 13, before the word "dollars," to strike out "one hundred and sixty" and insert "five hundred;" and in line 14, after the word "each," to strike out "two clerks, at \$1,500 each" and insert "clerk, \$1,600; clerk, \$1,500," so as to make the clause read:

For executive office: For two Commissioners, at \$5,000 each; Engineer Commissioner, \$780 (to make salary \$5,000); secretary, who shall act as superintendent of the District building, \$2,500; two assistant secretaries to Commissioners, at \$1,200 each; clerk, \$1,600; clerk, \$1,500; three clerks, at \$1,200 each; clerk, \$720; clerk, \$600; messenger, \$600; two messengers, at \$480 each; stenographer and typewriter, \$720; two drivers, at \$600 each.

The amendment was agreed to.

The next amendment was, on page 3, line 11, before the word "clerk," to insert "deputy property," so as to read:

Property division: Property clerk, \$2,500; deputy property clerk, \$1,600; deputy property clerk, \$1,500.

The amendment was agreed to.

The next amendment was, in the item for property division, on page 4, line 1, after the word "dollars," to insert "each;" and in line 3, after the word "dollars," to strike out "laborer, \$600," and insert "two laborers, at \$600 each," so as to read:

Two messengers, at \$600 each; driver, \$480; inspector, \$900; inspector, \$780; two laborers, at \$600 each.

The amendment was agreed to.

The next amendment was, on page 4, line 7, before the word "dollars," to strike out "two thousand seven hundred and fifty" and insert "three thousand;" in line 9, before the word "hundred," to strike out "six" and insert "eight;" and in line 18, before the word "dollars," to strike out "nine hundred" and insert "one thousand," so as to make the clause read:

Building inspection division: Inspector of buildings, \$3,000; principal assistant inspector of buildings, \$1,800; ten assistant inspectors of buildings, at \$1,200 each; one fire-escape inspector, \$1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, \$2,400; two civil engineers or computers, at \$1,500 each; draftsman, \$1,400; clerk, \$1,000; clerk, \$900; clerk, who shall be a stenographer and typewriter, \$1,000; messenger, \$480; superintendent of construction, \$1,500; assistant inspector, \$1,500.

The amendment was agreed to.

The next amendment was, on page 4, line 23, after the word "dollars," to insert "principal inspector of plumbing, \$1,400;" in line 24, before the word "assistant," to strike out "seven" and insert "six;" on page 5, line 1, before the word "at," to strike out "six" and insert "five;" in line 4, before the word "hundred," to strike out "two" and insert "eight;" and in line 5, before the word "dollars," to strike out "two hundred" and insert "three hundred and fifty," so as to make the clause read:

Plumbing inspection division: Inspector of plumbing, \$2,000; principal inspector of plumbing, \$1,400; six assistant inspectors of plumbing, one at \$1,200 and five at \$1,000 each; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, \$1,800; draftsman, \$1,350; sewer tapper, \$1,000; three members of the plumbing board, at \$300 each.

Mr. GALLINGER. Let that be modified by the insertion of the word "assistant" after the word "principal," in line 23, page 4; in line 24, page 4, by striking out "seven" and inserting "five;" on page 5, line 1, by substituting "four" for the word "five," and after the word "each," in that line, by inserting "clerk, \$1,200."

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 5, line 8, to increase the total appropriation for general expenses of the Executive office, from \$100,764 to \$102,504.

Mr. GALLINGER. In line 9, page 5, before the word "hundred" I move to strike out "five" and insert "seven."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 5, line 12, before the word "dollars," to insert "five hundred;" in line 14, after the word "dollars," to insert "three dynamo tenders, at \$875 each;" in line 17, before the word "hundred," to strike out "five" and insert "six;" in line 20, after the word "each" to insert "two lavatory attendants (male), at \$660 each; two lavatory attendants (female), at \$600 each;" in line 23, after the word "cleaners," to strike out "who shall also have charge of the lavatories;" in line 24, before the word "dollars," to strike out "five hundred" and insert "three hundred and fifty;" on page 6, line 3, before the word "watchmen," to strike out "five" and insert "six," and in line 5, before the word "dollars," to strike out "thirty-one thousand two hundred and forty" and insert "thirty-seven thousand four hundred and eighty-five," so as to make the clause read:

For care of District building: Assistant superintendent, who shall be a stenographer, \$1,500; chief engineer, \$1,400; three assistant engineers, at \$1,600 each; electrician, \$1,200; three dynamo tenders, at \$875 each; three firemen, at \$720 each; three coal passers, at \$600 each; one electrician's helper, \$840; eight elevator conductors, at \$600 each; two laborers, at \$660 each; two lavatory attendants (male), at \$660 each; two lavatory attendants (female), at \$600 each; two chief cleaners, at \$350 each; thirty-six cleaners, at \$240 each; chief watchman, \$720; assistant chief watchman, \$660; six watchmen, at \$600 each; in all, \$37,485.

Mr. GALLINGER. I submit the amendment I send to the desk.

The SECRETARY. On page 6, line 1, strike out the words "seven hundred and twenty" and insert in lieu thereof the words "one thousand."

The amendment to the amendment was agreed to.

Mr. GALLINGER. I offer the amendment I send to the desk.

The SECRETARY. On page 6, line 4, amend the total so as to read "\$37,765."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 6, line 7, to increase the appropriation for fuel, lights, repairs, and miscellaneous items from \$24,000 to \$25,000.

The amendment was agreed to.

Mr. GALLINGER. In line 6, on that page after the word "lights," I move to insert "electricity, ice."

The amendment was agreed to.

The next amendment was, on page 7, line 8, to increase the appropriation for temporary clerk hire for preparing numerical book, etc., from \$2,000 to \$2,500.

The amendment was agreed to.

The next amendment was, on page 7, line 22, after the word "dollars," to strike out "assistant cashier, \$1,400" and insert "two assistant cashiers, at \$1,400 each;" and on page 8, line 6, before the word "hundred," to strike out "twenty-one thousand three" and insert "twenty-two thousand seven," so as to make the clause read:

For collector's office: For collector, \$4,000; deputy collector, \$1,800; cashier, \$1,800; two assistant cashiers, at \$1,400 each; bookkeeper, \$1,600; two clerks, at \$1,400 each; two clerks, at \$1,200 each; three coupon clerks, at \$900 each; clerk and bank messenger, \$1,200; clerk, \$1,000; messenger, \$600; in all, \$22,700.

The amendment was agreed to.

The next amendment was, on page 8, line 11, before the word "dollars," to strike out "three thousand six hundred" and insert "four thousand;" in line 17, before the word "clerks," to strike out "two" and insert "three;" in line 24, before the word "and," to strike out "thirty-one thousand eight hundred" and insert "thirty-three thousand one hundred," so as to make the clause read:

For auditor's office: For auditor, \$4,000; chief clerk, \$2,250; bookkeeper, \$1,800; two clerks, at \$1,600 each; three clerks, at \$1,400 each; three clerks, at \$1,200 each; three clerks, at \$1,000 each; three clerks, at \$900 each; clerk, \$720; messenger, \$600; disbursing officer, \$3,000; deputy disbursing officer, \$1,500; one clerk, \$1,200; one clerk, \$900; messenger, \$480; in all, \$33,150.

The amendment was agreed to.

The next amendment was, on page 9, line 5, before the word "hundred," to strike out "six" and insert "eight;" in line 7, before the word "hundred," to strike out "two" and insert "five;" in line 8, after the word "dollars," to insert "law clerk, \$1,200," and in line 11, before the word "and," to strike out "thirteen thousand three hundred" and insert "fifteen thousand," so as to make the clause read:

For office of corporation counsel: For corporation counsel, \$4,500; first assistant corporation counsel, \$2,500; second assistant corporation counsel, \$1,800; third assistant corporation counsel, \$1,600; fourth assistant corporation counsel, \$1,500; stenographer, \$1,200; law clerk, \$1,200; clerk, \$720; in all, \$15,020.

The amendment was agreed to.

The next amendment was, on page 9, line 19, after the word "dollars," to insert "hostler and laborer, \$365," and in line 21,

before the word "dollars," to insert "three hundred and sixty-five," so as to make the clause read:

For coroner's office: For coroner, \$1,800; morgue master, \$720; assistant morgue master and janitor, \$480; hostler and laborer, \$365; in all, \$3,365.

The amendment was agreed to.

The next amendment was, on page 10, line 8, after the word "purposes," to insert "and the Wholesale Market Square," so as to make the clause read:

Wholesale Producers' Market: One market master, \$900; one assistant market master, who shall also act as night watchman, \$540; one watchman, \$480; one laborer for sweeping B street sidewalk used for market purposes and the Wholesale Market Square, \$360; sweeping B street used for market purposes, \$480; hauling refuse (street sweepings), \$600; in all, \$3,360.

The amendment was agreed to.

The next amendment was, on page 10, after line 12, to strike out "For sodding and planting with trees the Wholesale Market Square between Tenth and Twelfth streets on B street NW. near Pennsylvania avenue, \$500, or so much thereof as may be necessary."

The amendment was agreed to.

The next amendment was, in the provision for engineer's office, record division, on page 11, line 21, before the word "hundred," to strike out "five" and insert "eight;" in line 23, before the word "dollars," to insert "two hundred," and on page 12, line 2, after the word "dollars," to insert "each," so as to read:

Assistant inspector of asphalt and cements, \$1,500; superintendent of repairs, \$1,500; superintendent of trees and parkings, \$1,800; assistant superintendent of trees and parkings, \$1,200; assistant engineer, \$2,200; assistant engineer, \$2,100; four assistant engineers, at \$1,800 each; one assistant engineer, \$1,600; five assistant engineers, \$1,500 each; one assistant engineer, \$1,350.

The amendment was agreed to.

The next amendment was, on page 13, line 9, before the word "dollars," to strike out "nine hundred" and insert "one thousand," and in line 10, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred," so as to read:

Chief clerk, \$1,900; clerk, \$1,800; clerk, \$1,600; two clerks, at \$1,500 each; permit clerk, \$1,500; assistant permit clerk, \$1,000; index clerk and typewriter, \$900; two clerks, at \$1,400 each.

The amendment was agreed to.

The next amendment was, on page 14, line 9, before the word "dollars," to insert "two hundred;" in line 11, before the word "dollars," to strike out "eight hundred and forty" and insert "one thousand," and in line 14, before the word "dollars," to strike out "eighty-eight thousand eight hundred and eighty-two" and insert "ninety thousand and twenty-two," so as to read:

Inspector of gas and meters, \$2,000; assistant inspector of gas and meters, \$1,200; assistant inspector of gas and meters, \$1,000; messenger, \$540; in all, \$190,022.

The amendment was agreed to.

The next amendment was, on page 14, line 16, before the word "dollars," to strike out "one thousand seven hundred" and insert "two thousand"; and in line 20, before the word "hundred," to strike out "six" and insert "nine," so as to make the clause read:

Special assessment office: For special assessment clerk, \$2,000; seven clerks, at \$1,200 each; two clerks, at \$900 each; and one clerk, \$750; in all, \$12,950.

The amendment was agreed to.

The next amendment was, on page 14, line 22, before the word "dollars," to strike out "five hundred" and insert "seven hundred and fifty"; on page 15, line 7, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred," and in line 13, before the word "dollars," to strike out "and twenty" and insert "four hundred and fifty," so as to make the clause read:

Street-sweeping office: For superintendent, \$2,750; assistant superintendent and clerk, \$1,600; clerk, \$1,000; ten inspectors, at \$1,200 each; ten inspectors, at \$1,100 each; three assistant inspectors, at \$900 each; foreman of public dumps, \$900; messenger and driver, \$600; stable foreman, \$1,000; foreman of repairs, \$1,000; two clerks, at \$1,200 each; stenographer and clerk, \$900; blacksmith, \$900; mechanic, \$780; mechanic's helper, \$600; hostler, \$550; two hostlers, at \$480 each; seven dumpmen, at \$480 each; one laborer, \$450; in all, \$45,450.

Mr. GALLINGER. I offer an amendment to the amendment.

The SECRETARY. On page 14, line 24, after the word "dollars," where it occurs the second time, insert "chief inspector, \$1,400;" and on page 14, line 25, strike out the word "ten" and insert in lieu thereof the word "nine."

The amendment to the amendment was agreed to.

Mr. GALLINGER. In line 13, page 15, let the total be changed so as to read "\$45,750."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 15, line 19, before the word "dollars," to insert "five hundred," so as to read:

Department of Insurance: For superintendent of insurance, \$3,500.

The amendment was agreed to.

The next amendment was, on page 15, line 20, after the word "dollars," to insert "auditor and license inspector, \$1,200."

Mr. GALLINGER. Let the amendment be disagreed to.

The VICE-PRESIDENT. Without objection, the amendment is disagreed to.

The next amendment was, on page 15, line 24, before the word "hundred," to strike out "one thousand two" and insert "six," so as to read:

Temporary clerk hire, \$600.

Mr. GALLINGER. Let the amendment likewise be disagreed to.

The amendment was rejected.

The next amendment was, in line 25, before the word "hundred," to strike out "eight thousand eight" and insert "nine thousand nine," so as to make the clause read:

Department of Insurance: * * * ; in all, \$9,900.

Mr. GALLINGER. Let the total read "\$9,300."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 16, line 22, before the word "dollars," to insert "five hundred," so as to make the clause read:

For services of temporary draftsmen, computers, laborers, and drivers when required, and for an additional field party when required, including the purchase of supplies and care or hire of teams, all expenditures under this sum to be made only on the written authority of the Commissioners of the District of Columbia, \$5,500.

The amendment was agreed to.

The next amendment was, on page 16, line 23, to increase the total appropriation for the maintenance of the surveyor's office from \$26,934 to \$27,434.

The amendment was agreed to.

The next amendment was, on page 17, line 2, after the word "dollars," to insert "chief circulating department, \$1,200," so as to read:

Free public library: For librarian, \$3,250; assistant librarian, \$1,500; chief circulating department, \$1,200; children's librarian, \$1,000.

The amendment was agreed to.

The next amendment was, in the item for the maintenance of the free public library, on page 17, line 14, to increase the appropriation for the salary of five attendants from \$480 each to \$540 each.

The amendment was agreed to.

The next amendment was, on page 17, line 16, to increase the appropriation for the salaries of five attendants from \$360 each to \$480 each.

The amendment was agreed to.

The next amendment was, on page 17, line 18, to increase the appropriation for the salaries of two messengers from \$360 each to \$480 each.

The amendment was agreed to.

The next amendment was, on page 18, line 2, to increase the total appropriation for the office of the librarian, free public library, from \$36,090 to \$38,430.

The amendment was agreed to.

The next amendment was, on page 18, line 11, to increase the appropriation for purchase of books for the free public library from \$7,500 to \$9,000.

The amendment was agreed to.

The next amendment was, on page 18, line 17, to increase the total appropriation for the maintenance of the free public library from \$18,500 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 19, line 4, before the word "ice," to insert "electricity," so as to read:

For contingent expenses of the government of the District of Columbia, namely: For printing, checks, etc., * * * horseshoeing, electricity, ice, repairs to pound, and vehicles.

The amendment was agreed to.

The next amendment was, on page 20, line 19, to increase the appropriation for postage for strictly official mail matter from \$7,000 to \$7,500.

The reading of the bill was continued to the end of line 21 on page 20.

Mr. GALLINGER. I submit the amendment I send to the desk.

The SECRETARY. On page 20, line 21, strike out the words "eight hundred and thirty-three dollars and fifty cents" and insert in lieu thereof "\$750."

The amendment was agreed to.

The next amendment was, on page 21, line 13, to increase the appropriation for judicial expenses, including procurement of chains of title, the printing of briefs in the court of appeals of the District of Columbia, etc., from \$4,000 to \$5,000.

The amendment was agreed to.

The next amendment was, on page 21, line 20, to increase the appropriation for livery of horse or horse hire for coroner's office, jurors' fees, witness fees, removal of deceased persons, making autopsies, etc., from \$2,750 to \$3,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 24, to insert: For repair of buildings owned and used by the District of Columbia when injured by fire, \$10,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to insert: For fireproof steel file cases for the office of the register of wills of the District of Columbia, \$1,500.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment I send to the desk.

The SECRETARY. On page 23, after line 5, it is proposed to insert:

For the office of the register of wills, for furnishing to the office of assessor copies of wills, petitions, and all necessary papers wherein title to real estate is involved, \$900.

The amendment was agreed to.

The next amendment was, on page 23, line 9, before the word "wharf," to insert "and equipping," so as to make the clause read:

For constructing and equipping wharf on river front for storage of sand and gravel, \$4,000.

The amendment was agreed to.

The reading was continued to the end of line 22 on page 24.

Mr. GALLINGER. On page 24 I move to insert the amendment I send to the desk.

The SECRETARY. On page 24, line 7, strike out the words "one hundred and," so as to read:

The foregoing appropriation shall be available to develop, as a property yard for the use of the District of Columbia, and for other municipal purposes, so much of reservation No. 17 lying south of the toe of slope of standard roadbed between the portal of the Virginia Avenue tunnel and the east end of the south abutment of the New Jersey Avenue Bridge.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 25, line 18, before the word "dollars," to strike out "eighty-four thousand six hundred" and insert "ninety thousand," so as to make the clause read:

Work on streets and avenues: For work on streets and avenues named in Appendix Y, Book of Estimates, 1909, \$90,000.

The amendment was agreed to.

The next amendment was, on page 25, line 23, to reduce the appropriation for the Georgetown schedule from \$6,500 to \$3,000.

The amendment was agreed to.

The next amendment was, on page 25, line 25, to reduce the appropriation for the northwest section schedule from \$15,500 to \$14,000.

The amendment was agreed to.

The next amendment was, on page 26, line 2, to reduce the appropriation for the southwest section schedule from \$19,800 to \$18,000.

The amendment was agreed to.

The next amendment was, on page 26, line 5, to increase the appropriation for the southeast section schedule from \$16,500 to \$27,500.

The amendment was agreed to.

The next amendment was, on page 26, line 7, to increase the appropriation for the northeast section schedule from \$26,300 to \$27,500.

The amendment was agreed to.

The next amendment was, on page 27, after line 17, to insert: For additional amount for paving South Carolina Avenue SE., from Thirteenth street to Fifteenth street, \$9,000.

Mr. GALLINGER. Let the words "to be immediately available" be added to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, after line 5, to insert: Northeast. Rhode Island Avenue extended, grade and improve, provided the land necessary to open this avenue to its full width to the District line be first dedicated to the District of Columbia without cost, \$10,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 9, to insert: Northwest. Massachusetts Avenue, grade and improve, \$10,000; and the appropriation of \$25,000 for the condemnation of land necessary for extending Massachusetts Avenue from Wisconsin Avenue to Nebraska Avenue and toward grading and improving said part of

Massachusetts Avenue, contained in the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1907, approved June 27, 1906, is hereby made available for grading and improving Massachusetts Avenue between the limits named during the fiscal year ending June 30, 1909.

Mr. GALLINGER. Let the amendment be disagreed to.

The VICE-PRESIDENT. Without objection, it is disagreed to.

The next amendment was, on page 28, after line 22, to insert:

North. North Capitol street, T to V street, pave 50 feet wide, \$9,600.

Northeast. Mills Avenue, Franklin street to Rhode Island Avenue, grade, \$5,500.

Northeast. Seventh street, Girard street to Central Avenue, grade and improve, \$1,000.

Northwest. Albemarle street east of Connecticut Avenue, grade and improve, \$10,000.

Southeast. Pennsylvania Avenue, grade and improve, \$5,000.

Northwest. Upton street east of old Pierce Mill road, grade, \$14,000.

Northeast. Franklin street, Twenty-second to Twenty-sixth street, grade and improve, \$2,500.

Northeast. M street from Bladensburg road eastwardly to Twenty-eighth street NE., grade and improve, \$9,000.

Southeast. Minnesota Avenue, from Pennsylvania Avenue northward as far as the land may have been dedicated therefor, widening and grading, \$3,000.

Northwest. Massachusetts Avenue, from S street to T street, for paving, \$7,500.

Southeast. Barnaby road, from Livingston road to District line, graveling and drainage culverts, \$900.

Northwest. Thirteenth street, Euclid to Harvard street, pave 40 feet wide, \$11,700.

Northwest. Webster street, Fourteenth to Sixteenth street, grade and improve, \$4,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 2, to insert:

Northwest. V street, from Fifteenth street to New Hampshire Avenue, pave 32 feet wide, \$2,500.

Mr. GALLINGER. Let the amendment be disagreed to, and in lieu thereof I submit the amendment to come in on page 27.

The amendment was rejected.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 27, after line 17, it is proposed to insert:

V street NW., from Fifteenth street to New Hampshire Avenue, pave 32 feet wide, \$2,500.

The amendment was agreed to.

Mr. GALLINGER. Recurring to page 30, I offer an amendment to follow line 2.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, line 2, after the amendment already agreed to, insert:

Northeast. Monroe street, Michigan Avenue to Tenth street, grade and macadamize, \$10,000.

Northwest. Reno road, grade and improve, \$3,000.

The amendment was agreed to.

Mr. GALLINGER. On page 30, line 10, after the words "Massachusetts Avenue," I move to insert:

Grade and improve, \$10,000.

The amendment was agreed to.

The next amendment was, on page 31, line 10, after the word "dollars," to insert the following proviso:

Provided, That section 1 of the act of Congress approved January 9, 1907, entitled "An act authorizing the extension of Second street NW., from Elm street north to Bryant street, of W street from its present terminus west of Flagler place to Second street, and of W street west of Second street eastwardly to Second street," be, and the same is hereby, amended by striking out the words "within thirty days after the passage of this act" where they occur in said section.

The amendment was agreed to.

The next amendment was, on page 32, line 19, to increase the total appropriation for construction of county roads and suburban streets from \$83,900 to \$190,100.

Mr. GALLINGER. I move to amend the amendment by making the total \$200,600.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 32, line 25, before the word "thousand," to insert "and fifty;" and in the same line, after the word "dollars," to insert "to be immediately available," so as to read:

Repairs streets, avenues, and alleys: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to concrete pavements with the same or other not inferior material, \$350,000, to be immediately available; and this appropriation shall be available for repairing the pavements of the street railways when necessary.

The amendment was agreed to.

The next amendment was, on page 33, line 10, to increase the appropriation for replacing and repairing sidewalks and curbs around public reservations and municipal buildings from \$6,000 to \$7,500.

The amendment was agreed to.

The next amendment was, on page 33, line 14, before the word "thousand," to insert "and ten;" and in the same line, after the word "dollars," to insert "and \$3,000 of this sum shall be immediately available," so as to make the clause read:

Repairs county roads: For current work of repairs of county roads and suburban streets, \$110,000, and \$3,000 of this sum shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 34, after line 6, to insert:

For employment of special counsel to investigate and determine the ownership of the land and riparian rights along the Anacostia River, with a view to the improvement of the Anacostia Flats, \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Sewers," on page 34, line 12, to increase the appropriation for cleaning and repairing sewers and basins from \$50,000 to \$60,000.

The amendment was agreed to.

The next amendment was, on page 34, line 20, to increase the appropriation for suburban sewers, from \$75,000 to \$100,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 2, to insert:

The Commissioners of the District of Columbia are hereby authorized and directed to acquire, by purchase or condemnation, a right of way for a trunk sewer in the valley lying north of the proposed line of T street and south of the Naval Observatory grounds, from Wisconsin avenue to Rock Creek, the cost of said right of way and of the sewer to be laid therein to be charged to the appropriation for suburban sewers for the fiscal year 1908.

Mr. GALLINGER. Let that amendment be disagreed to.

The amendment was rejected.

The next amendment was, on page 35, after line 18, to insert:

For beginning work on dikes for sewage disposal project, estimated cost, \$86,250, \$40,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 21, to insert:

For constructing sewer along Rock Creek, between Piney Branch and Broad Branch, \$75,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 24, to insert:

For Fourth street southeast, relief sewer from Pennsylvania avenue and Fourth street to Virginia avenue and Second street SE., \$31,875.

The amendment was agreed to.

The next amendment was, under the head of "Streets," in the item for sprinkling, sweeping, and cleaning streets, on page 36, line 24, before the word "thousand" to strike out "forty" and insert "sixty-seven," so as to make the proviso read:

Provided, That whenever it shall appear to the Commissioners that said latter work can not be done under their immediate direction at 19 cents or less per thousand square yards, in accordance with the specifications under which the same was last advertised for bids, it shall at once be their duty to advertise to let said work under said specifications to the lowest responsible bidder, and if the same can not be procured to be done at a price not exceeding 20 cents per thousand square yards, they may continue to do said work under their immediate direction, in accordance with said specifications, \$267,000; and the Commissioners shall so apportion this appropriation as to prevent a deficiency therein.

The amendment was agreed to.

The next amendment was, at the top of page 37, to insert:

For laying concrete floor in the stable occupied by the street-cleaning department and for other repairs which may be required by the regulations, \$4,350.

The amendment was agreed to.

The next amendment was, on page 37, line 20, to increase the appropriation for the Parking Commission from \$30,000 to \$35,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 2, to insert:

For general construction, grading, and concreting bottom of swimming pools, \$10,000.

Mr. GALLINGER. I move to amend the amendment by adding, after "dollars," the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 38, line 7, after the word "playgrounds," to strike out "For completing equipment of outdoor playgrounds, \$1,500," and insert "For maintenance, equipment, and supervision of outdoor municipal playgrounds, \$10,000," so as to make the clause read:

Playgrounds: For maintenance, equipment, and supervision of outdoor municipal playgrounds, \$10,000.

Mr. GALLINGER. I move to amend the amendment by inserting the words "to be immediately available" after the word "dollars," in line 10.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 38, after line 10, to insert:

For grading, planting of hedges, trees, and other improvements at Rosedale site, \$5,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 12, to insert:
Deep wells: For drilling deep wells and maintenance of the same, \$5,000.

The amendment was agreed to.

The next amendment was, on page 38, line 17, to increase the appropriation for maintenance of public-convenience stations from \$6,200 to \$6,500.

The amendment was agreed to.

The next amendment was, on page 39, line 14, before the word "hundred," to strike out "two" and insert "five," so as to make the clause read:

Condemnation of insanitary buildings: For all expenses necessary and incident to the enforcement of the provisions of an act entitled "An act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, including personal services, when authorized by the Commissioners of the District of Columbia; not to exceed \$1,500, \$6,000.

The amendment was agreed to.

The next amendment was, on page 39, after line 15, to insert:
Harbor and river front: For reconstructing wharf and sea wall adjacent to the morgue as a foundation to stable, \$500.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 40, line 5, after the word "each," to strike out "two electrical inspectors, at \$1,800 each," and insert "electrical engineer, \$2,000; electrical engineer, \$1,800;" in line 11, before the word "dollars," to insert "two hundred;" and in line 23, before the word "hundred," to strike out "forty-two thousand nine" and insert "forty-three thousand three," so as to make the clause read:

ELECTRICAL DEPARTMENT.

For electrical engineer, \$2,500; superintendent, \$1,600; three electrical inspectors, at \$1,200 each; inspector of lamps, \$1,000; electrician, \$1,200; draftsman, \$1,000; three telegraph operators, at \$1,000 each; three inspectors, at \$900 each; expert repair man, \$960; four repair men, at \$900 each; three telephone operators, at \$600 each; two laborers, at \$400 each; electrical engineer, \$2,000; electrical engineer, \$1,800; electrical inspector, \$1,350; cable splicer, \$1,200; clerk, \$1,200; two clerks, at \$1,125 each; clerk, \$1,050; clerk, \$750; assistant cable splicer, \$620; assistant repair man, \$620; two assistant repair men, at \$540 each; two laborers, at \$540 each; laborer, \$460; four telephone operators, at \$540 each; telephone operator, \$450; storekeeper, \$875; and one laborer, \$630; in all, \$43,335.

Mr. GALLINGER. I send up the following amendments to that paragraph:

The SECRETARY. On page 40, line 6, before the word "electrical," insert the word "assistant;" on the same page, line 7, after the word "dollars," insert the word "assistant;" on the same page, in line 10, after the word "dollars," insert "clerk, \$1,400;" and in lines 22 and 23 amend the total so as to read "\$44,735."

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 42, line 3, before the word "dollars," to strike out "fifty-two thousand seven hundred and twelve" and insert "sixty-five thousand two hundred and twenty-five," so as to read:

Lighting: For illuminating material, lighting, extinguishing, repairing, and cleaning public lamps on avenues, streets, roads, and alleys; purchasing and expense of erecting and maintaining new lamp-posts, street designations, lanterns, and fixtures; moving lamp-posts, painting lamp-posts and lanterns; replacing and repairing lamp-posts and lanterns damaged or unfit for service; for rent of storeroom, cartage of material, livery, and other necessary items, \$265,225.

The amendment was agreed to.

The next amendment was, on page 43, line 19, before the word "dollars," to strike out "fifteen thousand" and insert "twenty-three thousand two hundred and fifty-five," so as to read:

For electric arc lighting and for extensions of such service, not exceeding \$123,255.

The amendment was agreed to.

The next amendment was, under the head of "Rock Creek Park," on page 46, line 1, before the word "thousand," to strike out "fifteen" and insert "twenty," and in the same line, after the word "dollars," to insert "of which sum \$2,000 shall be immediately available," so as to make the clause read:

For care and improvement of Rock Creek Park, exclusive of building for superintendent's residence, to be expended under the direction of the board of control of said park, \$20,000, of which sum \$2,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Public schools," on page 47, after line 11, to strike out "For teachers in class 6, 207 in all, at a minimum salary of \$1,000 per annum each," and insert:

For heads of departments in high and manual training schools in Group B of class 6, twelve in all, at a minimum salary of \$1,000 each. For teachers of the normal, high, and manual training schools promoted for superior work, Group B of class 6, fourteen in all, at a minimum salary of \$1,900 each.

For teachers in Group A of class 6, 181 in all, at a minimum salary of \$1,000 each.

Mr. BURKETT. Before the amendment is agreed to, I wish to offer an amendment to perfect it.

The VICE-PRESIDENT. It is a committee amendment?

Mr. BURKETT. It amends the committee amendment.

The VICE-PRESIDENT. The Senator from Nebraska proposes an amendment to the amendment of the committee, which will be stated.

The SECRETARY. At the end of line 20, page 47, add the following proviso:

Provided, That hereafter teachers shall not be promoted from Group A to Group B of class 6 until the maximum in Class A shall have been reached by such teacher.

The VICE-PRESIDENT. The amendment to the amendment will be agreed to if there be no objection.

Mr. GALLINGER. Mr. President, it is not agreed to. I think it would be a very unfortunate amendment if agreed to. The Senator from Nebraska devoted a great deal of time to the preparation of a school law which is now on the statute books, and which is working very satisfactorily in the main. One of the schemes of that measure was to promote, for superior qualifications, teachers from one class to another, and, as I understand the matter, it has worked very satisfactorily. I have not the schedule of the school law before me. Perhaps the Senator has it. If so, I would thank him to furnish it to me.

Mr. BURKETT. I will send it to the Senator.

Mr. GALLINGER. In Group A the teachers enter at \$1,000 and they are automatically promoted to \$1,800. In Group B they commence at \$1,900 and they are automatically promoted to \$2,200.

The school authorities, acting under the provisions of this law, have encouraged teachers in Group A to qualify themselves for promotion into Group B, and the result has been that seven such teachers have been promoted during the last year. This bill makes provision for seven more teachers to be promoted for superior qualifications during the current year.

Mr. President, I understand that fault has been found with the promotion of one teacher from Group A to Group B, and very likely a mistake was made. The way this works is that a teacher receiving \$1,500 may so qualify himself or herself by superior scholarship to be promoted into this class commencing at \$1,900. I have in mind at the present time the fact that there are some teachers who have been giving their entire summer vacation during the past two years to attending college for the purpose of qualifying themselves for this promotion. Other cities are looking to Washington and taking our best teachers to places where they are given higher salaries and where this same system is operative.

Now, the Senator proposes that if a teacher receiving fifteen or sixteen or seventeen hundred dollars qualifies himself or herself, passing a very rigid examination, which Senators will find incorporated in the hearings before the Senate committee, that teacher, however well he or she may be qualified for promotion, shall not be promoted until the maximum of \$1,800 is reached. I think that would work a great injustice to some of the best teachers we have in the city of Washington. Women who give up their vacations in summer time, who go to Harvard, who go to Columbia, as I have some in mind, and prepare themselves may be receiving but \$1,600, but they come back and submit themselves to an examination, which is a very severe examination, and it is found that they possess every qualification for promotion into Group B. It will not work, it can not possibly work, very much harm, because in the bill as it is framed now only seven teachers can be promoted out of Group A into Group B during the next year.

I trust the Senator will not insist upon the amendment to the amendment. If there was danger, as was suggested in another place, that 200 teachers might be promoted in this way, there would be a valid reason for it, but as the bill is guarded, I feel sure that no possible harm can come to the schools if it is left as it is, and I conceive that harm would come to a few teachers of the very highest qualifications if the Senator's amendment should be adopted.

Mr. BURKETT. Mr. President, I dislike, of course, to disagree with the chairman of the Committee on the District of Columbia very much; yet as one who was chairman of the subcommittee that drafted the bill I am very anxious that the law shall operate just as it was written and as it was intended to operate. I ask the Senators present to consider just what this provision is, and then if they want the bill to operate as the Senator from New Hampshire has indicated, I am perfectly willing that it shall do so.

Mr. GALLINGER. Mr. President, if the Senator will permit me, I meant—while I am on my feet—to suggest to the Senator that his amendment affects existing law and is clearly subject

to a point of order; but I will reserve it, hoping that the Senator will withdraw his amendment.

Mr. BURKETT. I will say to the Senator that I think it does not change existing law. That is what I am combating for; that it just interprets the existing law as it is, and also, further, that it only makes provision as to salary and makes no change in the provision of law.

When we drew the school bill we made an automatic schedule of salaries. We provided six different classes. We put every grade of teacher in a certain class and made it automatic, so that each year he would go up according to the promotions in that class. We made two groups of class 6—Group A and Group B. Group A begins with a thousand dollars and runs to the maximum of \$1,800, with a hundred dollars a year promotion. Group B begins with \$1,900 and runs to \$2,200, with a hundred dollars a year promotion.

The law provided that the high school teachers should be placed in Group A—that is, that the maximum salary should be a thousand dollars, increasing the next year to \$1,100, and the next year to \$1,200, and on up to \$1,800.

The law provided that the heads of departments should be placed in Group B of that class, beginning with \$1,900 and going to a maximum of \$2,200.

Now, after that had gone so far this statement was made to the committee, that there were teachers who were exceptionally bright and who would come up to the maximum of \$1,800 and could not be retained, and if we stopped with the maximum on specially good teachers we would lose those teachers. So the committee put in this provision: We provided that when teachers get to \$1,800 they could be promoted over to Group B, and thus have a maximum of \$2,200 instead of \$1,800. We put in this provision after we had provided what the salaries should be:

Teachers shall be promoted for superior work from Group A to Group B of class 6 only after oral and written examinations by the board of examiners upon recommendation as follows.

I will say that in making up the bill the committee had in mind that teachers would not be promoted from Group A to Group B until after they had reached the maximum of \$1,800 in Group A, and that then they would be permitted to jump into Group B, provided they were specially desirable teachers and could pass the examination.

To show that the committee was careful that they did not want any big jumps in salaries all the way along through the bill the committee put in a provision like this:

That teachers of the normal, high, and manual training schools now receiving less than \$800, who have not taught five years or more in graded or high schools, shall receive an annual increase not to exceed \$150 until the minimum salary of class 6 is reached.

Over in another place we provide that in no case should a teacher be promoted more than one grade at any time. We thought we had it absolutely provided that there would not be any abnormal increase of salaries by reason of the bill.

Now, this is what occurred the first year the bill went into operation. In construing it the board decided that a teacher in the high school who could pass an examination as prescribed could immediately pass from Group A to Group B. This was the result: One teacher who drew a salary of \$1,100, I believe, passed that examination and was at once jumped to \$1,900 a year. I think it was from \$1,000 to \$1,900, an increase of \$900 the very first year. She was a good teacher, I will say, one of the very best teachers in the District of Columbia, but one who had been teaching for \$1,000 and less theretofore was immediately increased to \$1,900 a year.

That so outraged those in the House who had been looking after this legislation that when the bill came up in the House they put in this provision. They intended to cut off that entire provision of the law and prevent teachers from being promoted from Group A to Group B. They put in the following—

No part of any money appropriated by this act shall be paid to teachers in Group B, in class 6, who are not heads of departments in high and manual training schools.

Hereafter no promotions or transfers shall be made from Group A to Group B, in class 6, except the teachers to be the heads of departments in high and manual training schools.

Thus eliminating altogether the possibility of a high school teacher being promoted to Group B.

Now, the committee of the Senate have struck out that measure, and they have provided that teachers can be promoted, but not to exceed seven in number in one year. It seems to me that a better way would be, I will submit to the chairman of this committee, to put in this provision, which will keep the law, as I certainly thought and intended it should be when it was reported in here and passed, that Group B should be distinctly for directors and for such teachers of the high school as had reached the maximum under Class A and were qualified by an

examination. It leaves, in short, I will say to the chairman of the committee, the law exactly as the committee intended it in framing the bill.

Mr. GALLINGER. The trouble with the Senator's contention, as I see it, is that the teachers in Group B are automatically promoted. It is longevity. A teacher may have reached the \$1,800 class through longevity, and yet be a very ordinary teacher. There may be a teacher in that same class at \$1,600 who, instead of going to Europe or taking a vacation in the country during the summer months has gone to college and qualified himself or herself so that he or she is a much superior teacher than the teacher drawing \$1,800. Now, that teacher submits himself to an examination which is very thorough indeed, passes that examination, and demonstrates that he has superior scholarship, and he gets a promotion over the head of a teacher who does not possess the qualifications that the teacher who had been drawing a somewhat smaller salary possesses.

I think it is a most excellent provision as it stands in the law. I know there are teachers drawing smaller salaries than some others who, because of the fact that they have given their summer vacation to study in the colleges of the country, ought to be drawing superior salaries themselves. The board of education will exercise great discretion in this matter. There may have been one teacher promoted under a mistake; I do not know how that is; but of the seven teachers promoted, certainly six of them have deserved the promotion they have received.

Mr. President, I hope the Senator will withdraw his amendment. If not, as it changes the existing law, I am constrained to make the point of order against it.

Mr. BURKETT. Mr. President, I wish to call the attention of the Senator to this, that in making this schedule \$1,800 is an unusually high maximum. Most of these teachers were increased in salary by the minimum of \$1,000, and we put a minimum of \$1,000 and a maximum of \$1,800. We put that so high that it only could be reached after they had stayed in school and taken their promotion for a number of years, so as to make it an automatic promotion of \$100 a year, until they reached \$1,800, expecting that to be a very high salary for those who had served the District at least eight years.

To construe the law as the board of education have construed it, they have taken a teacher who has just come into the system, and they can do so next year. I am not disparaging any of the seven teachers who passed. I know most of them personally; we had them before the committee, and they are certainly very bright and deserving teachers; but with all that they are such teachers as it was contemplated should go along until they had reached the maximum \$1,800 and then should be promoted to \$1,900.

The Senator will observe that in drafting this amendment I have not sought to set the teachers back who have had this examination and passed into Group B. They are worthy teachers. It was only a misinterpretation and a wrong construction of the law, in my judgment. They took the examination as the law was interpreted, and they are there, and I have not sought to put them back into Group A; but hereafter I think we ought to adhere to the correct interpretation of the law, so that teachers can not go into Group B, with a maximum of \$2,200 and a minimum of \$1,900, until after they have been in the system long enough to have been promoted up to the maximum of the grade where they have gone in. For example, a student may come here from Yale or any other college. He starts in the high school at \$1,000, which is a high salary to start a teacher at in a high school. He passes that examination, and at once jumps the next year to \$1,900. That was not the intention of the law.

It was the intention of the law that if that teacher stayed here during the eight years and was deserving and became entitled to some recognition, then by this examination he is required to pass he should pass to the next grade in the group of \$2,200 maximum. I always certainly like to yield to the judgment of the chairman of the Committee on the District of Columbia, and I do not expect the Senator to yield his judgment to mine.

But I can not give up my opinion in this matter because I know for what purpose that clause was put in, and I know that the interpretation they have given it was one that the committee never had any idea would be given it at that time. I know nothing of any teachers who are now preparing to pass this examination. I am not combating any teachers who want to have this promotion; I do not know who they are and it would not make any difference if I did, because I am certain that it never was intended, and I do not think it is proper that we should permit the law to be so construed as to increase a teacher's salary in one year five or six or seven or nine

hundred dollars, as it is possible to do under the construction it is proposed to give to this law. So I want to put this restriction on the construction of the law. I think it ought to be there.

The VICE-PRESIDENT. The Chair is of the opinion that the amendment proposes general legislation and is obnoxious to the rule. The Chair therefore sustains the point of order.

Mr. BURKETT. Then the Chair has decided that my interpretation of what the law meant is not a correct interpretation, because, I will say to the Chair, that, if this is a correct interpretation of that law, the amendment would certainly be germane, for it would not change the law. I wrote the law, and I know what at that time I intended it should be.

Mr. GALLINGER. Mr. President, the amendment manifestly changes the law. Under existing law, these promotions can be made, and the Senator from Nebraska proposes to change the school law so that the promotions can not be made. I think there can be no question that the amendment proposes to change existing law. I will say to the Senator, as he took so much interest in the school law, that, if there are any imperfections in it, he ought to bring in an independent bill here to amend it, and not undertake to amend it on an appropriation bill.

Mr. BURKETT. I will say to the Senator that the law provides how promotions shall be made—a step at a time—and that teachers shall go up to \$1,800 step by step. That is the law. It provides that they may step from Class A to Class B in a certain way. It has been interpreted in another way; and teachers are now jumping from the bottom of Class A into Class B, instead of stepping from the top of Class A into Class B.

Mr. GALLINGER. The Senator inserted in his bill—and I think he wisely did it—a provision that teachers shall be promoted for superiority direct from Group A to Group B, class 6, not after they have reached the maximum, but only after oral and written examinations by the board of examiners. Mr. President, that is exactly what is being done; and the Senator from Nebraska proposes to change the law in that particular.

Mr. BURKETT. Yes; but the Senator will notice that on page 3 of the school law it is provided:

That teachers of the normal, high, and manual training schools now receiving less than \$800, who have not taught five years or more in graded or high schools, shall receive an annual increase not to exceed \$150 until the minimum salary of class 6 is reached, when they shall thereafter receive the increase provided in said class.

That is all they can get. They can not get any increase in that class of more than \$150. We put in that provision in reference to promotions from Class A to Class B, and I insist that in ruling this matter out of order the Chair has ruled that my interpretation of the law is not correct.

Mr. GALLINGER. Mr. President, knowing how much interest the Senator from Nebraska has taken in the school law, I am willing to have his amendment submitted to the Senate.

The VICE-PRESIDENT. The Senator from New Hampshire withdraws his point of order. The question is on agreeing to the amendment proposed by the Senator from Nebraska [Mr. BURKETT] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question now is on agreeing to the amendment of the committee.

Mr. BURKETT. Now, Mr. President, on page 47, in the same amendment, I move to strike out the first three words in line 19, those words being "fourteen in all."

I want to say, Mr. President, in support of that amendment, that while I think the other construction is proper and while I think we ought to adhere to it, nevertheless, if we are going to permit them to take this examination and qualify, let us not limit the number to seven, as this bill does. Let us throw it open to them all now, and give them all an equal chance. Let any teacher who wishes to do so take this examination. If you limit it to seven out of 200 or 300 of these teachers, somebody is going to have to pick out the particular seven. I do not think that anybody, as I say, ought to be promoted from \$1,000 to \$1,900 in one year.

I had in mind a teacher who came here from Chicago to accept a salary of less than a thousand dollars a year. When we put this law into effect we paid her a thousand dollars the first year, and the next year she jumped to nineteen hundred dollars, because she could take the examination. She is one of the most desirable teachers in the District, I will say, but she ought not to have that much promotion. She came here to teach for \$1,000 a year. I say, if we are going to give them that promotion when they take this examination, let us throw it open and give an equal chance to every teacher. This bill proposes to limit it to just seven, and somebody has got to select those seven. I submit that if we are going to do that,

if we are going to permit them to have these promotions, let us be fair to everybody and give them all an opportunity to take these examinations.

Mr. GALLINGER. If the Senator's amendment should be adopted, it would cut off the seven that have already been promoted for superior scholarship, as well as prevent any further promotions of that kind. I hope the amendment will not be agreed to.

Mr. BURKETT. I submit it would not do that.

Mr. GALLINGER. There is no question but that it will have that effect.

Mr. BURKETT. This is limited. There are seven, as the Senator says, who have passed and have already drawn their salaries. We provided for them last year. The fourteen are subject to that limitation, so that no more than seven are to take the examination. Now, if we cut out "fourteen" and take the limit off, anybody can get the \$1,900 who passes the examination. I submit to the Senate that we ought not to say that there can not but seven of those 200 teachers take the examination. One or the other of these positions is wrong. We either ought to say that the first one of those positions is wrong, or we ought to say that anybody who can pass the examination should have this privilege.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Nebraska to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment of the committee was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 47, line 26, before the word "each," to strike out "per annum," so as to make the clause read:

For teachers in class 5, 143 in all, at a minimum salary of \$950 each.

The amendment was agreed to.

The next amendment was, on page 48, line 2, before the word "each," to strike out "per annum," so as to make the clause read:

For teachers in class 4, 411 in all, at a minimum salary of \$800 each.

The amendment was agreed to.

The next amendment was, on page 48, line 5, before the word "each," to strike out "per annum," so as to make the clause read:

For teachers in class 3, 463 in all, at a minimum salary of \$650 each.

The amendment was agreed to.

The next amendment was, on page 48, line 7, before the word "each," to strike out "per annum," so as to make the clause read:

For teachers in class 2, 336 in all, at a minimum salary of \$600 each.

The amendment was agreed to.

The next amendment was, on page 48, line 9, before the word "each," to strike out "per annum," so as to make the clause read:

For teachers in class 1, 58 in all, at a minimum salary of \$500 each.

The amendment was agreed to.

The next amendment was, on page 48, line 18, after the word "dollars," to strike out "per annum," so as to make the clause read:

One at a salary of \$975.

The amendment was agreed to.

The next amendment was, on page 48, line 21, before the word "each," to strike out "per annum," so as to make the clause read:

Three at a salary of \$950 each.

The amendment was agreed to.

The next amendment was, on page 48, line 22, after the word "dollars," to strike out "per annum," so as to make the clause read:

One at a salary of \$900.

The amendment was agreed to.

The next amendment was, on page 48, line 23, to increase the total appropriation for the salaries of teachers of the public schools, from \$1,245,925 to \$1,269,325.

The amendment was agreed to.

The next amendment was, on page 49, line 4, after the word "dollars," to strike out "per annum," so as to make the clause read:

For librarian in class 4, one at a minimum salary of \$800.

The amendment was agreed to.

The next amendment was, on page 49, line 7, before the word "each," to strike out "per annum," so as to make the clause read:

For librarians and clerks in class 3, eight in all, at a minimum salary of \$650 each.

The amendment was agreed to.

The next amendment was, on page 49, line 9, before the word "each," to strike out "per annum," so as to make the clause read:

For clerks in class 2, four in all, at a minimum salary of \$600 each.

The amendment was agreed to.

The next amendment was, on page 49, line 11, before the word "each," to strike out "per annum," so as to make the clause read:

For librarians and clerks in class 1, five in all, at a minimum salary of \$500 each.

The amendment was agreed to.

The next amendment was, on page 49, line 17, after the word "schools," to insert "heads of departments;" and on page 50, line 2, before the word "thousand," to strike out "sixty-five" and insert "forty-two," so as to make the clause read:

For longevity pay: Longevity pay for director of intermediate instruction, supervising principals, supervisor of manual training, principals of the normal, high, and manual training schools, heads of departments, director and assistant director of primary instruction, directors and assistant directors of drawing, physical culture, music, domestic science, domestic art, and kindergarten teachers, clerks, librarians and clerks, and librarians to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, \$142,000.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, in line 20, I move to amend by striking out the word "kindergarten" and inserting "kindergartens" with a comma after it. It is a very important amendment, although it may not appear so.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 49, line 20, before the word "teachers," it is proposed to strike out the word "kindergarten" and insert "kindergartens" and a comma.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 50, line 10, to increase the appropriation for allowance to principals of the public schools, from \$31,680 to \$32,680.

The amendment was agreed to.

The next amendment was, on page 51, after line 5, to strike out:

No part of any money appropriated by this act shall be paid to teachers in Group B of class 6 who are not heads of departments in high and manual training schools. Hereafter no promotions or transfers shall be made from Group A to Group B in class 6 except of teachers to be heads of departments in high and manual training schools.

The amendment was agreed to.

The next amendment was, on page 51, line 14, before the word "teachers," to insert "all;" and in line 22, before the word "teachers," to insert "all," so as to read:

Hereafter the following rules for division of time and computation of pay for services rendered are hereby established: Compensation of all teachers, and librarians and clerks in the high and manual training schools, shall be divided into ten equal installments, one of which shall be paid for each school month, and in making payments for a fractional part of a month one-thirtieth of one of such installments shall be the daily rate of pay. For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month in connection with the compensation of all teachers, and librarians and clerks in the high and manual training schools.

The amendment was agreed to.

The next amendment was, on page 52, line 14, after the word "schools," to strike out "For night schools for pupils (and teachers and janitors of night schools may also be teachers and janitors of day schools), \$10,000; for industrial and commercial instruction in night schools, including salaries of teachers, janitors, and equipment, and other necessary expenses, \$5,000; for contingent and other necessary expenses of night schools, \$800" and insert "For salaries of teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, \$18,000; for contingent and other necessary expenses of night schools, including equipment and the purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, \$3,500."

The amendment was agreed to.

The next amendment was, on page 53, line 9, to increase the appropriation for kindergarten supplies from \$2,500 to \$3,000.

The amendment was agreed to.

The next amendment was, on page 53, line 26, before the word "hundred," to strike out "two" and insert "six," so as to make the clause read:

Of the McKinley Manual Training School, \$1,600.

The amendment was agreed to.

The next amendment was, on page 54, line 3, to increase the appropriation for the salary of one engineer and instructor in steam engineering at the McKinley Manual Training School from \$1,200 to \$1,500.

The amendment was agreed to.

The next amendment was, on page 54, after line 13, to strike out "of the Wallach School, \$1,000" and insert "Of the Wallach and Emery school buildings, one sixteen-room building to take the place of the Mott, and one sixteen-room building in the 'first division,' four in all, at \$1,000 each."

The amendment was agreed to.

The next amendment was, on page 54, line 19, after the word "school," to insert "and annex," so as to make the clause read: Of the Van Buren School and annex, \$1,000.

The amendment was agreed to.

The next amendment was, on page 54, line 22, before the name "Force," to strike out "Emery;" and in line 24, before the word "in," to strike out "fifteen" and insert "fourteen," so as to make the clause read:

Of the Birney and annex, Brookland, Curtis, Dennison, Force, Gales, Garnet, Grant, Henry, Johnson and annex, Peabody, Seaton, Sumner, and Webster school buildings, fourteen in all, at \$900 each.

The amendment was agreed to.

The next amendment was, at the top of page 55, to strike out:

Of the sixteen-room building to take the place of the Mott, and sixteen-room building in the "first division," two in all, at \$900 each.

The amendment was agreed to.

The next amendment was, on page 55, line 4, after the name "Lincoln," to insert "Mott, Gage, New Langdon;" and in line 5, before the word "in," to strike out "two" and insert "five," so as to make the clause read:

Of the Lincoln, Mott, Gage, New Langdon, and Miner buildings, five in all, at \$800 each.

The amendment was agreed to.

The next amendment was, on page 55, line 8, after the word "the," to strike out "Abbott, Berrett" and insert "Abbot, Berret," so as to make the clause read:

Of the Abbot, Berret, Sayles J. Bowen, Brightwood, John F. Cook, Cranch, Randall, Syphax, and Tenley buildings, nine in all, at \$700 each.

The amendment was agreed to.

The next amendment was, on page 55, line 13, before the word "Cardozo," to strike out "Carberry" and insert "Carbery;" in line 15, before the word "Garrison," to strike out "Gage;" in line 19, before the word "Phelps," to insert "Petworth;" in line 22, before the word "Wilson," to strike out "Wheatly" and insert "Wheatley;" and in the same line, before the word "buildings," to strike out "Wormly" and insert "Wormley," so as to make the clause read:

Of the Adams, Addison, Ambush, Amidon, Anthony, Bowen, Arthur, Banneker, Bell, Blair, Blake, Blow, Bradley, Brent, Briggs, Bruce, Buchanan, Carbery, Cardozo, Congress Heights, Corcoran, Dent, Douglass, Edmunds, Fillmore, Garrison, Giddings, Eckington, Greenleaf, Harrison, Hayes, Hilton, Hubbard, Hyde, Jackson, Jones, Ketcham, Langston, Lenox, Logan, Lovejoy, Ludlow, Madison, Magruder, Maury, Monroe, Montgomery, Morgan, Morse, Patterson, Payne, Petworth, Phelps, Phillips, Pierce, Polk, Ross, Abby S. Simmons, Slater, Smallwood, Takoma, Taylor, Toner, Towers, Twining, Tyler, Webb, Weightman, Wheatley, Wilson, and Wormley buildings, and one eight-room building in present eighth division, seventy-one in all, at \$600 each.

The amendment was agreed to.

The next amendment was, on page 55, line 25, before the word "Garfield," to insert "B. B. French;" and on page 56, line 1, before the word "in," to strike out "three" and insert "four," so as to make the clause read:

Of the B. B. French, Garfield, Thomson, and Woodburn buildings, four in all, at \$420 each;

The amendment was agreed to.

The next amendment was, on page 56, line 5, after the word "Langdon," to strike out "B. B. French;" in line 6, before the word "Potomac," to strike out "Petworth," and in line 7, before the word "in," to strike out "eighteen" and insert "sixteen," so as to make the clause read:

Of the Benning (white), Benning (colored), Brightwood Park, Chevy Chase, Deanwood, Hamilton, High Street, Kenilworth, Langdon, McCormick, Orr, Potomac, Reno, Reservoir, Stanton, and Threlkeld buildings, sixteen in all, at \$300 each;

The amendment was agreed to.

Mr. GALLINGER. Mr. President, we have a very technical auditor, and he makes rulings sometimes in very inconsequential things that affect the school work. On page 56, line 13, after the word "schools," I move to strike out the comma. I do not see any sense in it myself, but it is insisted that it is important.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 56, line 14, before the word "dollars," to strike out "forty-eight" and insert "seventy-two," and in line 15, before the word "thousand," to strike out "six" and insert "eight," so as to make the clause read:

For care of smaller buildings and rented rooms, including cooking and manual training schools wherever located, at a rate not to exceed \$72 per annum for the care of each schoolroom, \$8,000;

The amendment was agreed to.

The next amendment was, on page 56, line 18, to increase the total appropriation for janitors and care of buildings and grounds from \$100,600 to \$105,820.

The amendment was agreed to.

The next amendment was, on page 57, line 6, to increase the appropriation for rent of school buildings, repair shop, storage and stock rooms, from \$20,000 to \$25,000.

The amendment was agreed to.

The next amendment was, on page 57, line 18, to increase the appropriation for repairs and improvements to school buildings and grounds and for repairing and renewing heating and ventilating apparatus, from \$70,000 to \$90,000.

The amendment was agreed to.

The next amendment was, on page 57, line 20, to increase the appropriation for necessary repairs to and changes in plumbing in existing school buildings, from \$50,000 to \$60,000.

The amendment was agreed to.

The next amendment was, on page 58, line 4, to increase the appropriation for the purchase and repair of tools, machinery, material, and books and apparatus to be used in connection with instruction in manual training, etc., from \$20,000 to \$22,500.

The amendment was agreed to.

The next amendment was, on page 58, line 7, before the word "thousand," to strike out "eighty-five" and insert "one hundred;" and in the same line, after the word "dollars," to strike out:

Provided, That no part of this sum so appropriated shall be expended for gas at a greater price than 75 cents per 1,000 cubic feet.

So as to make the clause read:

For fuel, gas, and electric light and power, \$100,000.

The amendment was agreed to.

The next amendment was, on page 59, line 11, to increase the appropriation for contingent expenses, including furniture and repairs of same, stationery, printing, ice, purchase and repair of equipments for high school cadets, etc., from \$40,000 to \$45,000.

The amendment was agreed to.

The next amendment was, on page 60, after line 4, to insert:

For salaries of teachers and janitors, and for equipment and maintenance of school playgrounds, \$3,000.

The amendment was agreed to.

The next amendment was, on page 60, line 8, before the word "material," to strike out "Utensils," and insert "For utensils," and in line 10, before the word "dollars," to insert "five hundred," so as to make the clause read:

For utensils, material, and labor, for establishment and maintenance of school gardens, \$1,500.

The amendment was agreed to.

The next amendment was, on page 60, after line 16, to insert:

For purchase of apparatus for the physics department and the installation of electrical equipment in the physical laboratory in those high schools which do not possess the same, namely, the Central, Eastern, Western, and M street high schools, including conduits, switchboards with usual fittings, wires and wiring, terminal boxes, motor generators or dynamotors, transformers, resistance boxes, electrical measuring instruments, and other accessories and extra labor and other necessary items, \$6,000.

For purchase of fixtures, apparatus, specimens, and materials for the laboratories of the department of biology and chemistry, and the installation of the same, including extra labor, \$6,000.

Any unexpended balances in the "Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal years ending June 30, 1907 and 1908, and for other purposes, to rent, equip, and care for temporary rooms for classes above the second grade, now on half time, and to provide for the estimated increased enrollment that may be caused by the operation of the compulsory education law," is hereby reappropriated and made immediately available for the purchase, erection, and maintenance of portable school-houses for temporary use.

The amendment was agreed to.

The next amendment was, on page 61, line 18, to increase the appropriation for complete equipment of the extension of the McKinley Manual Training School, from \$60,000 to \$70,000.

The amendment was agreed to.

The next amendment was, on page 61, after line 18, to insert: For completion of McKinley Manual Training School building as originally planned, to be immediately available, \$125,000.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendments which I send to the desk.

The VICE-PRESIDENT. The amendments will be stated.
The SECRETARY. On page 62, line 1, after the word "site," it is proposed to insert a comma.

The amendment was agreed to.

The Secretary stated the next amendment submitted by Mr. GALLINGER, which was, on page 62, line 14, after the word "ground," to insert a comma.

The amendment was agreed to.

The Secretary stated the next amendment submitted by Mr. GALLINGER, which was, on page 62, line 23, after the word "ground," to insert a comma.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 62, line 10, after the words "Johnson School," to insert "or in the immediate vicinity thereof;" in line 12, after the word "addition," to insert "or annex;" and in line 14, before the word "including," to insert "or annex," so as to make the clause read:

For the purchase of ground adjacent to the Johnson School, or in the immediate vicinity thereof, approximately 51,000 square feet, and toward the construction thereon of an eight-room addition, or annex, to said school, \$50,000; and the total cost of said addition, or annex, including cost of additional ground under a contract which is hereby authorized therefor, shall not exceed \$100,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 11, to insert:

For construction of a normal and model school building on lots 76 to 106 of Parker and Pulsifer subdivision of Columbia Heights, \$300,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 15, to insert:

For alteration and repair of Central High School building and equipment, \$60,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 17, to insert:

For one eight-room building and site in or near Cleveland Park, \$75,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 19, to insert:

For twelve-room building on the site of the Garfield School, thirteenth division, \$95,000.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk to come in on page 63, after line 21.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 63, after line 21, it is proposed to insert as a new paragraph the following:

For the purchase of lots adjacent to Phelps School, \$12,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 63, after line 21, to insert:

For purchase of lots adjacent to Phillips School, 21,000 square feet, \$16,500.

The amendment was agreed to.

The next amendment was, on page 63, after line 24, to insert:

For replacing wooden stairways with those of fireproof construction in the following buildings: Bancker, Logan, Ambush, Giddings, Phelps, Towers, Amidon, Jackson, Madison, Blair, Brightwood, Monroe, Takoma, Tenley, Blake, Carbery, Magruder, Phillips, Wormley, Van Buren, old part of Brookland, old part of Cranch, Potomac, Threlkeld, Hamilton, Woodburn, Benning, Langdon, Reservoir, Chevy Chase, Burrville, Birney Annex, and Reno schools, \$150,000, or so much thereof as may be necessary.

For additional amount for "Repairs and improvements to school buildings and grounds," for the purpose of fireproofing basement ceilings wherever needed, changing doors, furnishing suitable air checks and bolts for same, providing additional exits, installing electrical fire-alarm systems with necessary gongs, purchasing fire extinguishers and chemicals for replenishing them, and making such other repairs and alterations as may be necessary to secure protection from fire, \$100,000, or so much thereof as may be necessary, to be immediately available.

For fireproof construction in the following three buildings authorized in section 1 of the act of Congress approved June 27, 1906, providing for the expenses of the government of the District of Columbia for the fiscal year 1907, to wit, the sixteen-room building in the vicinity of the Mott School, the sixteen-room building in the first division, and the twelve-room building in the eighth division, \$60,000, to be immediately available.

For the removal of old and unsuitable fire ladders and fire escapes and the erection of improved fire escapes in accordance with the recommendations of the chief engineer of the fire department on the following buildings: Thomson, Franklin, Gales, Polk, Henry, Peabody, Garnet, Towers, Central High, Wallach, and Eastern High schools, \$11,000, or so much thereof as may be necessary.

Mr. GALLINGER. I ask that that amendment of the committee, beginning on page 63, line 25, and ending at line 10, on page 65, be disagreed to.

The amendment was rejected.

Mr. GALLINGER. In place of the amendment just rejected, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 63, after line 24, it is proposed to insert:

For additional amount for "Repairs and improvements to school buildings and grounds," for the purpose of fireproofing walls and floors around and over heating apparatus, fireproofing corridors, replacing wooden stairs with those of fireproof construction, removal of old and unsuitable fire escapes and the erection of improved fire escapes, and improvement of approaches thereto, improving exits, installing electrical fire-alarm systems with necessary gongs, providing fire extinguishers and chemicals for their use, and for such miscellaneous alteration and repair work as may be necessary to secure protection against fire in existing school buildings owned by the District of Columbia, \$261,000, or so much thereof as may be necessary, and \$100,000 of this appropriation shall be immediately available.

For fireproof construction in the following three buildings authorized in section 1 of the act of Congress approved March 2, 1907, providing for the expenses of the government of the District of Columbia for the fiscal year 1908, to wit, the sixteen-room building in the vicinity of the Mott School, the sixteen-room building in the first division, and the twelve-room building in the eighth division, \$60,000, to be immediately available.

Mr. BURKETT. I should like to ask a question of the Senator in charge of the bill. I made a report on this matter, and it seems to me, as I heard the amendment read, that amount is different from that recommended in the report I made. What is the total amount that is provided for fireproofing?

Mr. GALLINGER. I will say to the Senator that the amount now in this bill is not changed by this amendment.

Mr. BURKETT. That is \$261,000, and it seems to me the amendment provides for more than that. I reported on the matter this morning to the Committee on the District of Columbia, and I will say to the chairman—

Mr. GALLINGER. Two hundred and sixty-one thousand dollars is the amount.

Mr. BURKETT. That is what I reported.

Mr. GALLINGER. That is what the amendment embraces.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 66, line 17, after the word "one," it is proposed to strike out "and under a contract to be entered into with the said Institution by the Commissioners of the District of Columbia."

The amendment was agreed to.

Mr. GALLINGER. I also offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 66, line 25, after the word "five," it is proposed to strike out "and under a contract to be entered into by the Commissioners of the District of Columbia."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "For Metropolitan police" on page 67, line 18, before the word "dollars," to strike out "nine hundred" and insert "one thousand," so as to read:

For major and superintendent, \$4,000; assistant superintendent, with rank of inspector, \$2,500; three inspectors, at \$1,800 each; ten captains, at \$1,500 each; chief clerk, who shall also be property clerk, \$2,000; clerk, \$1,500; three clerks, at \$1,000 each; four surgeons of the police and fire departments, at \$600 each.

The amendment was agreed to.

The next amendment was, on page 68, line 5, to increase the number of privates of class 1, at \$900 each, from 105 to 150.

The amendment was agreed to.

The next amendment was, on page 68, line 13, after the word "fourteen," to strike out "laborers" and insert "janitors," and in line 19, before the word "dollars," to strike out "two hundred and forty" and insert "three hundred," so as to read:

Janitor for police headquarters for July, 1908, \$60; fourteen janitors, at \$600 each; messenger, \$700; messenger, \$500; major and superintendent, mounted, \$240; inspector, mounted, \$240; fifty-five captains, lieutenants, sergeants, and privates, mounted, \$300 dollars each; sixty-four lieutenants, sergeants, and privates, mounted, on bicycles, at \$50 each.

The amendment was agreed to.

The next amendment was, on page 68, line 23, to increase the total appropriation for Metropolitan Police, from \$915,293.35 to \$959,393.35.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 68, line 25, after the word "cents," it is proposed to insert the following proviso:

Provided, That hereafter, in order that the full complement of the Metropolitan police force may at all times be maintained as authorized by law, the Commissioners of the District of Columbia are authorized, when vacancies occur in classes 2 and 3 of said Metropolitan

police force, which can not be filled by promotion, to appoint privates of class 1, equal in number to the positions vacated in said classes 2 and 3, and the respective salaries specifically provided for such vacant positions may be reduced to pay the salaries of the privates so appointed in class 1.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 69, line 5, to increase the appropriation for repairs to police stations, from \$4,750 to \$5,500.

The amendment was agreed to.

The next amendment was, on page 69, line 17, before the word "thousand," to strike out "thirty-three" and insert "thirty-seven," so as to read:

For miscellaneous and contingent expenses, including the purchase of new wagons, rewards for fugitives, modern revolvers, maintenance of card system, stationery, city directories, and periodicals, telegraphing, telephoning, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds and bed clothing, insignia of office, purchase and care of horses, horse and vehicle for superintendent, bicycles, police equipments and repairs to the same, harness, forage, repairs to vehicles, van, and patrol wagons, saddles, and expenses incurred in the prevention and detection of crime, repairs to rented buildings, and other necessary expenses, \$37,000, of which amount a sum not exceeding \$500 may be expended.

The amendment was agreed to.

The next amendment was, on page 70, after line 7, to insert:

For the reconstruction of cell corridors and the making, erecting, and placing therein in the first, fourth, and sixth police precinct station houses eight modern cells in each, \$15,000.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 70, after line 11, it is proposed to insert the following:

For house furniture and equipment for same, stable and improvements to grounds for station house to be erected in Anacostia, \$32,000.

The amendment was agreed to.

Mr. BURKETT. I should like to ask a question. I find a provision that is new at the bottom of page 69, as follows:

Provided, That the War Department may furnish the District Commissioners for the use of the police, upon requisition, such unserviceable mounted equipment as may be required.

That is a new provision in the bill, and I have a little curiosity to know what it means.

Mr. GALLINGER. I presume it is to save a little money to the District government. I imagine it is for the mounted policemen. The War Department may have some saddles and equipments of that kind that can be turned over. That is the way I understand it. It is a House provision, and I think that is what it means.

I offer an amendment to the amendment on page 70, line 12. It is to change the total.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 70, lines 12 and 13, it is proposed to amend the amendment of the committee by changing the total so as to make it read "\$94,280."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 70, line 25, before the word "dollars," to strike out "five hundred and forty" and insert "six hundred;" and on page 71, line 3, before the word "dollars," to strike out "seven hundred and forty" and insert "nine hundred and eighty," so as to make the clause read:

House of detention: To enable the Commissioners of the District of Columbia to provide transportation, including the purchase and maintenance of necessary horses, wagons, and harness, and a suitable place for the reception, transportation, and detention of children under 17 years of age and, in the discretion of the Commissioners, of girls and women over 17 years of age, arrested by the police on charge of offense against any law in force in the District of Columbia, or held as witnesses, or held pending final investigation or examination, or otherwise, including salaries of two clerks at \$900 each; four drivers, at \$600 each; one hostler, \$540; six guards, at \$600 each; and two matrons, at \$600 each, \$12,980, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 71, line 6, before the word "hundred," to strike out "eight," and insert "one thousand one," and in line 9, before the word "hundred" to strike out "two," and insert "five," so as to make the clause read:

For harbor patrol: For one engineer, \$1,140; one fireman, \$480; one watchman, \$420; one deck hand, \$480; in all, \$2,520.

The amendment was agreed to.

The next amendment was, on page 71, line 13, to increase the total appropriation for the maintenance of the harbor patrol from \$4,220 to \$4,520.

The amendment was agreed to.

The next amendment was, under the head of "For the fire department," on page 71, line 25, before the word "hundred,"

to strike out "four" and insert "five;" on page 72, line 7, after the word "each," to insert "two marine firemen, at \$720 each;" in line 13, after the word "each," to insert "messenger at department headquarters, \$600; hostler, \$540;" and in line 18, before the word "dollars," to strike out "ninety thousand eight hundred and thirty" and insert "ninety-three thousand five hundred and ten," so as to make the clause read:

For chief engineer, \$3,500; deputy chief engineer, \$2,500; three battalion chief engineers, at \$2,000 each; fire marshal, \$2,000; deputy fire marshal, \$1,400; two inspectors, at \$1,080 each; clerk, \$1,400; clerk, \$1,200; thirty-four captains, at \$1,400 each; thirty-five lieutenants, at \$1,200 each; superintendent of machinery, \$1,500; assistant superintendent of machinery, \$1,200; twenty engineers, at \$1,150 each; twenty assistant engineers, at \$1,100 each; two pilots, at \$1,150 each; two marine engineers, at \$1,150 each; two assistant marine engineers, at \$1,100 each; two marine firemen, at \$720 each; thirty-five drivers, at \$1,150 each; thirty-five assistant drivers, at \$1,100 each; 198 privates of class 2, at \$1,080 each; thirty-five privates at class 1, at \$960 each; messenger at department headquarters, \$600; hostler, \$540; and one laborer, \$480; in all, \$493,510.

The amendment was agreed to.

The next amendment was, on page 72, line 20, to increase the appropriation for repairs and improvements to engine houses and grounds from \$9,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 72, line 22, to increase the appropriation for repairs to apparatus and for new apparatus and new appliances from \$11,000 to \$13,000.

The amendment was agreed to.

The next amendment was, on page 72, line 25, to increase the appropriation for the purchase of horses from \$14,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 73, line 1, to increase the appropriation for forage from \$23,000 to \$24,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 3, insert:

For repairs and improvements of the fire boat, \$1,000.

The amendment was agreed to.

The next amendment was, on page 73, line 10, to increase the total appropriation for miscellaneous items for the fire department from \$100,530 to \$115,530.

The amendment was agreed to.

The next amendment was, on page 73, after line 17, to insert:

For house, site, and furniture for a truck company, to be located in the northeast section of the city, in the vicinity of Twelfth and H streets NE., including cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$37,000.

The amendment was agreed to.

The next amendment was, on page 73, after line 22, to insert: For new house for No. 4 engine company, \$25,000.

Mr. GALLINGER. I move to amend the amendment of the committee, on page 73, line 23, after the word "company," by inserting the words "including necessary furniture and equipment."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 73, line 23, in the amendment of the committee, after the word "company," it is proposed to insert "including necessary furniture and equipment."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, at the top of page 74, to insert:

For one fourth-size steam fire engine, \$5,000.

The amendment was agreed to.

The next amendment was, on page 74, line 3, before the words "hook-and-ladder," to strike out "areal" and insert "aerial," so as to make the clause read:

For one 65-foot aerial hook-and-ladder truck, \$4,500.

The amendment was agreed to.

The next amendment was, on page 74, line 22, to increase the total appropriation for increase of fire department from \$54,750 to \$121,750.

The amendment was agreed to.

The next amendment was, under the head of "Health Department," on page 75, line 20, after the word "dollars," to insert "assistant poundmaster, \$900," and in line 24, before the word "hundred," to strike out "fifty-three thousand seven" and insert "fifty-four thousand six," so as to make the clause read:

For health officer, \$3,500; chief clerk and deputy health officer, \$2,200; clerk, \$1,400; four clerks, two of whom may act as sanitary and food inspectors, at \$1,200 each; two clerks, at \$1,000 each; clerk, \$600; chief inspector and deputy health officer, \$1,800; fifteen sanitary and food inspectors, at \$1,200 each; one inspector, \$1,000; one inspector, \$900; sanitary and food inspector, who shall be a veterinary surgeon and act as inspector of live stock and dairy farms, \$1,200;

five sanitary and food inspectors, who shall be veterinary surgeons, at \$1,000 each, and five sanitary and food inspectors, at \$900 each, to assist in the enforcement of the milk and pure food laws and the regulations relating thereto; sanitary and food inspector, who shall also inspect dairy products and shall be a practical chemist, \$1,800; messenger and janitor, \$600; driver, \$540; poundmaster, \$1,500; assistant poundmaster, \$900; and for laborers, at not exceeding \$40 per month, \$2,400; in all, \$54,640.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 6, after the word "maintenance," it is proposed to insert a comma and the words "including personal service."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 78, after line 7, to insert:

For the erection and equipment of a stable at the smallpox hospital, including the necessary grading and paving to be immediately available, \$12,500.

Mr. GALLINGER. I also offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 22, after the word "thousand," it is proposed to insert the words "six hundred."

Mr. CLAY. How will the provision read, Mr. President, if the amendment be adopted?

The VICE-PRESIDENT. The Secretary will read the provision as it will be if amended.

The Secretary read as follows:

Juvenile court: For judge, \$3,600.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Courts," on page 78, line 25, after the word "dollars," to insert "probation officer, \$1,000;" and on page 79, line 2, before the word "thousand," to strike out "eight" and insert "nine," so as to make the clause read:

Juvenile court: For judge, \$3,000; clerk, \$2,000; chief probation officer, \$1,500; probation officer, \$1,200; probation officer, \$1,000; janitor, \$540; in all \$9,240.

Mr. GALLINGER. I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 79, line 2, after the word "thousand," it is proposed to strike out "two" and insert "eight."

The amendment was agreed to.

Mr. GALLINGER. I offer the amendments which I send to the desk.

The VICE-PRESIDENT. The amendments will be stated.

The SECRETARY. On page 79, line 3, after the word "jurors," it is proposed to strike out "two thousand three" and insert in lieu thereof the words "one thousand seven."

The amendment was agreed to.

The Secretary stated the next amendment, submitted by Mr. GALLINGER, which was, on page 79, line 14, to strike out the word "eight" and insert "two."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 79, line 20, before the word "hundred," to strike out "five" and insert "six;" in line 22, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" and on page 80, line 4, before the word "dollars," to insert "five hundred and eighty," so as to make the clause read:

Police court: For two judges, at \$3,600 each; clerk, \$2,000; two deputy clerks, at \$1,500 each; two deputy clerks, at \$1,200 each; deputy clerk, to be known as financial clerk, \$1,600; three bailiffs, at \$900 each; four bailiffs, at \$720 each; deputy marshal, \$1,000; janitor, \$540; engineer, \$900; assistant engineer, \$720; fireman, \$360; two assistant janitors, at \$300 each; matron, \$600; three charmen, at \$360 each; in all, \$27,580.

The amendment was agreed to.

The next amendment was, on page 84, line 6, before the word "hundred," to strike out "six" and insert "eight;" in line 10, before the word "hundred," to strike out "four" and insert "six;" in line 12, before the word "dollars," to strike out "six hundred and sixty" and insert "seven hundred and twenty;" on page 85, line 7, before the word "dollars" to strike out "four hundred and twenty-five" and insert "four hundred and eighty;" in the same line, before the word "orderlies," to strike out "six" and insert "seven," and in line 21, before the word

"dollars," to strike out "thirty-eight thousand and sixty-six" and insert "thirty-nine thousand seven hundred and seventy-six;" so as to make the clause read:

For Washington Asylum: For superintendent, \$1,800; visiting physician, \$1,080; resident physician, \$480; clerk, \$840; property clerk, \$1,000; baker, \$600; principal overseer, \$1,600; fifteen overseers, at \$720 each; * * * two nurses for annex wards, at \$480 each; seven orderlies, at \$300 each; pupil nurses, not less than twenty in number (nurses to be paid not to exceed \$120 per annum during first year of service, and not to exceed \$150 per annum during second year of service), \$2,625; registered pharmacist, who shall act as hospital clerk, \$720; gardener, \$540; herdsman, \$365; florist, \$300; tailor, \$180; housekeeper, \$300; laundryman, \$600; temporary labor, not to exceed \$2,400; in all, \$33,776.

The amendment was agreed to.

The next amendment was, on page 86, after line 3, to insert: For additional amount of the above-named purposes, \$1,500.

The amendment was agreed to.

The next amendment was, on page 86, after line 15, to insert: For erection of north wing for the workhouse for males, \$110,000.

The amendment was agreed to.

The next amendment was, on page 86, line 24, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" on page 87, line 2, before the word "physician," to strike out "one fireman, \$300," and insert "two firemen, at \$300 each;" in line 3, after the word "dollars," to strike out "one nurse, \$360," and insert "two nurses, at \$360 each;" in line 11, after the word "dollars," to strike out "one servant, \$144," and insert "two servants, at \$144 each;" and in line 15, before the word "dollars," to strike out "eleven thousand four hundred and eighty-four" and insert "twelve thousand four hundred and sixty-eight," so as to make the clause read:

Home for the Aged and Infirm: Superintendent, \$1,200; matron, \$600; clerk, \$900; baker, \$420; two female attendants, at \$300 each; chief cook, \$600; two male attendants, at \$360 each; chief engineer, \$900; assistant engineer, \$480; two firemen, at \$300 each; physician and pharmacist, \$480; two nurses, at \$360 each; two assistant cooks, at \$180 each; blacksmith and woodworker, \$540; farmer, \$540; two farm hands, at \$360 each; tailor, \$240; seamstress, \$240; laundryman, \$540; hostler and driver, \$240; two servants, at \$144 each; temporary labor, \$600; in all, \$12,468.

The amendment was agreed to.

The next amendment was, on page 87, line 19, to increase the appropriation for provisions, fuel, forage, harness, vehicles and repairs to same, etc., at the Home for the Aged and Infirm, from \$20,000 to \$23,000.

The amendment was agreed to.

The next amendment was, on page 87, line 22, to increase the appropriation for repairs and improvements to buildings and grounds, Home for the Aged and Infirm, from \$1,000 to \$2,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 22, to insert: For necessary fire protection, including erection of four fire escapes, water mains, plugs, and the necessary piping connections, and laying and installing the same, to be immediately available, \$3,000.

The amendment was agreed to.

The next amendment was, on page 88, line 7, to increase the total appropriation for the maintenance of the Home for the Aged and Infirm from \$33,984 to \$46,968.

The amendment was agreed to.

The next amendment was, on page 88, line 14, to increase the appropriation for repair and maintenance of the Reform School from \$20,000 to \$22,000.

The amendment was agreed to.

The next amendment was, on page 88, line 23, before the word "dollars," to strike out "three hundred and sixty-five" and insert "four hundred and eighty;" and in line 25, before the word "dollars," to strike out "seven hundred and eighty-five" and to insert "nine hundred," so as to make the clause read:

Reform School for Girls: Superintendent, \$1,200; treasurer, \$600; matron, \$600; three teachers, at \$600 each; overseer, \$720; six teachers of industries, at \$480 each; engineer, \$600; assistant engineer, \$420; night watchman, \$480; two laborers, at \$300 each; in all, \$9,900.

The amendment was agreed to.

The next amendment was, on page 89, after line 16, to insert: For furnishing and erecting a hot-air furnace and necessary connections for heating the dormitory for male employees, \$101.

The amendment was agreed to.

The next amendment was, on page 89, after line 19, to insert: For erecting a portico, as contemplated by the original plans, on the dormitory for male employees, and for painting the woodwork of that building, \$675.

The amendment was agreed to.

The next amendment was, on page 89, line 24, to increase the total appropriation for maintenance of the Reform School for Girls from \$25,327 to \$26,308.

The amendment was agreed to.

The next amendment was, on page 90, line 15, to increase the appropriation for repairs to Columbia Hospital from \$2,000 to \$4,500.

The amendment was agreed to.

The next amendment was, on page 90, after line 16, to insert:

For procuring suitable plans for a modern fireproof brick building, to be constructed on the grounds of the present hospital for the Columbia Hospital for Women and Lying-in Asylum, \$5,000, or so much thereof as may be necessary, to be immediately available. The said plans shall be procured and approved by the board of directors of said hospital, and submitted to Congress at the beginning of the next session.

Mr. GALLINGER. I offer an amendment to the amendment.

The SECRETARY. On page 90, line 24, after the word "session," it is proposed to insert:

This appropriation to be expended by the disbursing officer of the District of Columbia on vouchers to be audited and approved by the auditor of said District in the manner now provided by law.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 91, after line 6, to insert:

For relief of the National Homeopathic Hospital Association, \$25,000: *Provided*, That no part of the appropriation hereby made shall be paid to said National Homeopathic Hospital Association unless said association shall have collected, on or before the 30th day of June, 1909, in cash, through contributions, donations, or like sources, the sum of \$15,000, and shall have furnished the Commissioners of the District of Columbia satisfactory evidence of the collection and possession of said sum: *Provided further*, That the said sum of \$40,000 shall be applied to the liquidation of the debt of said National Homeopathic Hospital Association.

The amendment was agreed to.

The next amendment was, on page 91, after line 22, to insert:

For repairs and equipment, Central Dispensary and Emergency Hospital, \$4,000.

The amendment was agreed to.

The next amendment was, on page 92, line 3, to increase the appropriation for emergency care and treatment of and free dispensary service to indigent patients under a contract or agreement to be made with the Eastern Dispensary by the Board of Charities, from \$4,000 to \$6,000.

The amendment was agreed to.

The next amendment was, on page 92, line 5, after the word "dollars," to insert "to be expended by and under the direction of the executive committee of said Home," so as to make the clause read:

For Washington Home for Incurables, maintenance, \$4,000, to be expended by and under the direction of the executive committee of said Home.

The amendment was agreed to.

Mr. GALLINGER. I offer the amendment I send to the desk.

The SECRETARY. On page 92, after line 6, it is proposed to insert:

For the women's clinic, maintenance, \$750.

The amendment was agreed to.

The next amendment was, on page 92, line 19, before the word "dollars," to strike out "ninety-six" and insert "one hundred and twenty;" in line 20, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred;" in line 25, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred;" in the same line, after the word "dollars," to insert "farmer, \$540;" on page 93, line 3, before the word "orderlies," to strike out "two" and insert "three;" and in line 5, before the word "dollars," to strike out "eleven thousand six hundred" and insert "twelve thousand nine hundred and twenty," so as to make the clause read:

Tuberculosis Hospital: For superintendent, \$1,200; resident physician, \$480; pharmacist and clerk, \$720; superintendent of nurses, \$600; matron, \$600; four graduate nurses, at \$365 each; ten pupil nurses, at \$120 each; chief cook, \$600; two assistant cooks, at \$180 each; engineer, \$720; assistant engineer, \$600; two firemen, at \$300 each; elevator conductor, \$300; laundryman, \$600; farmer, \$540; laborer, \$360; night watchman, \$360; three orderlies, at \$300 each; four servants, at \$180 each; in all, \$12,920, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 93, line 10, after the word "utensils," to insert "temporary services not to exceed \$1,000," so as to make the clause read:

For provisions, fuel, forage, harness, and vehicles and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, temporary services not to exceed \$1,000, and other necessary items, \$25,000.

The amendment was agreed to.

The next amendment was, on page 93, after line 11, to insert:

For grading and making roads, not to exceed \$5,000.

The amendment was agreed to.

The next amendment was, on page 93, line 14, to increase the total appropriation for the maintenance of the Tuberculosis Hospital from \$36,600 to \$42,920.

The amendment was agreed to.

The next amendment was, under the subhead "Child-caring institutions," on page 94, line 2, before the word "dollars," to strike out "seven hundred and twenty" and insert "eight hundred and forty;" in line 4, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred;" and in line 7, before the word "dollars," to strike out "three hundred and twenty" and insert "five hundred and sixty;" so as to make the clause read:

For agent, \$1,800; executive clerk, \$1,080; placing officer, \$900; placing officer, \$720; investigating clerk, \$840; record clerk, \$660; visiting inspector, \$600; one clerk, \$600; messenger, \$360; in all, \$7,560.

The amendment was agreed to.

The next amendment was, on page 94, line 19, to increase the total appropriation for maintenance of Board of Children's Guardians from \$66,420 to \$66,660.

The amendment was agreed to.

The next amendment was, on page 95, line 16, before the word "dollars," to strike out "four hundred and eighty" and insert "six hundred;" in line 17, before the word "dollars," to strike out "two hundred and forty" and insert "three hundred;" and in line 19, before the word "dollars," to strike out "twenty" and insert "eighty," so as to make the clause read:

Industrial Home School for Colored Children: For superintendent, \$1,200; matron of school, \$480; two caretakers, at \$360 each; two assistant caretakers, at \$300 each; two teachers, at \$480 each; sewing teacher, \$360; manual-training teacher, \$480; farmer, \$600; watchman, \$300; cook, \$240; laundress, \$240; in all, \$6,180.

The amendment was agreed to.

The next amendment was, on page 95, after line 19, to insert:

For temporary services, not to exceed \$500.

The amendment was agreed to.

The next amendment was, on page 95, line 22, after the word "horses," to strike out "wagons" and insert "vehicles;" and in line 23, before the word "thousand," to strike out "five" and insert "six," so as to make the clause read:

For maintenance, including purchase and care of horses, and harness, \$6,000.

The amendment was agreed to.

The next amendment was, on page 96, line 1, after the word "For," to strike out "necessary tiling and pipes, \$250" and insert "grading, draining, and making roads, including tiling and pipes, \$1,000," so as to make the clause read:

For grading, draining, and making roads, including tiling and pipes, \$1,000.

The amendment was agreed to.

The next amendment was, on page 96, line 5, to increase the appropriation for repairs and improvements to buildings and grounds at the Industrial Home for Colored Children, from \$250 to \$500.

The amendment was agreed to.

The next amendment was, on page 96, line 8, before the word "dollars," to strike out "thirteen thousand six hundred and twenty" and insert "sixteen thousand one hundred and eighty;" and in the same line, after the word "dollars," to insert:

Provided, That all moneys received at said school as income from sale of products and from payment of board or instruction, or otherwise, shall be paid over to the Commissioners of the District of Columbia to be expended by them in the support of the school.

So as to make the clause read:

In all, for Industrial Home School for Colored Children, \$16,180: *Provided*, That all moneys received at said school as income from sale of products and from payment of board or instruction, or otherwise, shall be paid over to the Commissioners of the District of Columbia to be expended by them in the support of the school.

The amendment was agreed to.

The next amendment was, on page 97, after line 19, to insert:

For renewing the heating apparatus and necessary alterations and repairs at the Washington Hospital for Foundlings, \$4,250.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary Homes," on page 98, line 8, after the word "dollars," to insert "watchman for six months, \$150;" and in line 11, before the

word "dollars," to strike out "seven hundred" and insert "eight hundred and fifty," so as to make the clause read:

For municipal lodging house and wood and stone yard, namely: For superintendent, \$1,200; cook, \$360; and laborer, \$360; watchman for six months, \$150; maintenance, including rent, \$1,780; in all, \$3,850.

The amendment was agreed to.

The next amendment was, on page 98, after line 11, to strike out:

For temporary Home for ex-Union Soldiers and Sailors, Grand Army of the Republic, namely: For maintenance, including all necessary personal services, \$2,500, to be expended under the direction of the Commissioners of the District of Columbia; and ex-soldiers and sailors of the Spanish war shall also be admitted to the Home.

The amendment was agreed to.

The next amendment was, on page 98, after line 18, to insert:

For temporary Home for ex-Union Soldiers and Sailors, Grand Army of the Republic, namely: For superintendent, \$1,200; janitor, \$360; and cook, \$360; maintenance, \$3,580; in all, \$5,500, to be expended under the direction of the Commissioners of the District of Columbia, and ex-soldiers and sailors of the Spanish war shall also be admitted to the Home.

The amendment was agreed to.

The next amendment was, on page 99, line 10, to increase the appropriation for support of the indigent insane of the District of Columbia in the Government Hospital for the Insane in the District, as provided by law, from \$280,000 to \$294,800.

The amendment was agreed to.

The next amendment was, under the head of "Militia of the District of Columbia," on page 100, line 15, after the word "camps," to insert "including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, and the accounting officers are directed to settle the accounts for camps, instruction, and practice marches for the fiscal year 1908 in accordance herewith," so as to make the clause read:

For expenses of camps, including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, and the accounting officers are directed to settle the accounts for camps, instruction, and practice marches for the fiscal year 1908 in accordance herewith, instruction, practice marches, and practice cruises.

And so forth.

The amendment was agreed to.

The reading of the bill was continued to the end of line 10 on page 101.

Mr. GALLINGER. I offer the amendment I send to the desk.

The SECRETARY. On page 101, line 9, strike out the words "seven hundred and twenty" and insert "one thousand," so as to read:

For clerk, office of the adjutant-general, \$1,000.

The amendment was agreed to.

The next amendment was, on page 102, line 11, after the word "troops" to insert the following further proviso:

Provided further, That any of the moneys heretofore or hereafter appropriated for the District of Columbia Militia may be used to supplement specific appropriations or allotments which may be found insufficient for the purposes for which made, and authority is hereby given to supplement the regular ration by purchase of such additional articles of subsistence as may be deemed necessary.

The amendment was agreed to.

The next amendment was, on page 102, after line 19, to insert:

Hereafter the purchase of supplies and the procurement of services for all branches of the District of Columbia Militia service may be made in open market, in the manner common among business men, when the aggregate of the amount required does not exceed \$100.

The amendment was agreed to.

The next amendment was, under the head of "Water Department," on page 103, line 7, before the word "dollars" to strike out "one thousand eight hundred" and insert "two thousand one hundred;" and in line 9, after the word "each" to insert "meter computer, \$1,000," so as to make the clause read:

For revenue and inspection branch: For water registrar, who shall also perform the duties of chief clerk, \$2,100; clerk, \$1,500; clerk, \$1,400; four clerks, at \$1,000 each; meter computer, \$1,000; chief inspector, \$1,000; nine inspectors, at \$900 each; ten inspectors, at \$800 each; assistant tapper, \$825; messenger, \$600.

The amendment was agreed to.

The next amendment was, on page 103, line 17, after the word "dollars," to strike out "two clerks, at \$1,000 each" and insert "clerk, \$1,200; clerk, \$1,000," so as to read:

For distribution branch: For superintendent, \$3,000; draftsman, \$1,500; foreman, \$1,500; clerk, \$1,200; clerk, \$1,000; timekeeper, \$900.

The amendment was agreed to.

The next amendment was, on page 104, line 22, to increase the total appropriation for distribution branch, water department, from \$79,660 to \$81,160.

The amendment was agreed to.

The next amendment was, on page 105, line 10, before the

word "horses," to insert "two motor trucks," so as to make the clause read:

For fuel, repairs to boilers, etc., and purchase and maintenance of two motor trucks, horses, wagons, carts, and harness necessary for the proper execution of this work, \$42,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 18, on page 106.

Mr. GALLINGER. I offer the amendment I send to the desk.

The SECRETARY. On page 106, line 16, it is proposed to strike out "sixty" and insert "seventy," so as to read:

That the expenditures hereunder shall not exceed \$70,000 during the fiscal year 1909.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 109, line 14, after the word "companies," to insert "market master, assistant market master, watchman, and one laborer for the wholesale producers' market," so as to read:

The Commissioners of the District of Columbia are authorized to employ all necessary inspectors, overseers, foremen, sewer tappers, skilled laborers, mechanics, laborers, special policemen stationed at street-railway crossings, one inspector of gas fitting, two janitors for laboratories of the Washington and Georgetown Gas Light companies, market master, assistant market master, watchman, and one laborer for the wholesale producers' market, horses, carts.

And so forth.

The amendment was agreed to.

The next amendment was, on page 110, after line 9, to add as a new section the following:

Sec. 8. That until and including June 30, 1909, the Secretary of the Treasury is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary from time to time to meet the general expenses of said District, as authorized by Congress, and to reimburse the Treasury for the portion of said advances payable by the District of Columbia out of the taxes and revenues collected for the support of the government thereof: *Provided*, That all advances made under this act and under the acts of February 11, 1901, July 1, 1902, March 3, 1903, April 27, 1904, March 3, 1905, and June 27, 1906, and March 2, 1907, not reimbursed to the Treasury of the United States on or before June 30, 1909, shall be reimbursed to said Treasury out of the revenues of the District of Columbia from time to time, within five years, beginning July 1, 1909, together with interest thereon at the rate of 2 per cent per annum on annual balances until so reimbursed: *Provided further*, That the Auditor for the State and other Departments and the auditor of the District of Columbia shall each annually report the amount of such advances, stating the account for each fiscal year separately, and also the reimbursements made under this section, together with the balances remaining, if any, due to the United States: *And provided further*, That nothing contained herein shall be so construed as to require the United States to bear any part of the cost of acquisition of land for street extensions, and all advances heretofore or hereafter made for this purpose by the Secretary of the Treasury shall be repaid in full from the revenues of the District of Columbia.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. GALLINGER. On page 102, line 22, I move to amend the amendment by substituting the word "shall" for the word "may," so as to read "shall be made in open market."

The VICE-PRESIDENT. Without objection the amendment will be regarded as open to amendment. The question is on agreeing to the amendment proposed by the Senator from New Hampshire to the amendment of the committee.

The amendment was agreed to.

The amendment as amended was agreed to.

Mr. BURKETT. Mr. President, I desire to offer an amendment to be inserted on page 6, after line 5. I will say that if that is not the proper place, if the chairman of the committee will suggest a more appropriate point I will move to insert the amendment somewhere else.

The VICE-PRESIDENT. The Senator from Nebraska proposes an amendment, which will be stated.

The SECRETARY. On page 6, after line 5, it is proposed to insert:

That the Brightwood Railway Company shall, on and after the 1st day of November, 1908, run its cars, in connection with the Washington Railway and Electric Company, through Ninth street to Center Market, from Takoma Park at intervals of not less than six minutes, the charge for fare to be that common to the street railways of the District of Columbia, and the Commissioners of the District of Columbia are hereby authorized and directed to carry this provision into effect.

Mr. GALLINGER. That is manifestly general legislation and subject to a point of order.

The Senator from Nebraska has heretofore given notice of his intention to propose an amendment of this general character. The amendment was referred to the Committee on the District of Columbia, and by it submitted to the Commissioners for examination and report. I ask the Secretary to read the report of the Commissioners of the District of Columbia.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, April 28, 1908.

Hon. J. H. GALLINGER,
Chairman Committee on the District of Columbia,
United States Senate.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on the amendment intended to be proposed by Mr. BURKETT on the District appropriation bill for the fiscal year 1909, H. R. 20063, which you referred to them for report touching the merits of the bill and the propriety of its passage:

The amendment proposed to require the Brightwood Railway Company to run its cars through Ninth street to the Center Market, from a point on Brightwood avenue opposite the Walter Reed Army General Hospital, on a six-minute headway.

The Commissioners are not possessed with the necessary data to be able to state in the limited time at their disposal on this matter whether a six-minute headway for cars of the Brightwood Railway from this point on Brightwood avenue, which is about four miles from the city boundary, is a proper headway to give satisfactory service at the hours of greatest traffic. It would certainly be unreasonable to require these cars to run on this headway at all times, as is provided by the proposed amendment, which, it should be noted, makes no allowance whatever for any suspension during any of the night hours. The Commissioners believe that legislation such as this should not be attached to an appropriation act, nor should it ever be enacted without a careful investigation, the means for which are not at present at the disposal of the Commissioners, to determine the amount of traffic concerned and the hours of the day at which the headway should be lessened and at which an entirely satisfactory service could be given with longer intervals between successive cars, all of which could be accomplished by the passage of Senate bill 5430, providing for regulating public-service corporations, which was introduced at the request of the Commissioners, with recommendation for its enactment.

Attention is further invited to the fact that this proposed amendment contains no penalty clause, without which the Commissioners would be possessed of no more authority to secure its enforcement than they now have under their general authority contained in the charter of the road to regulate its schedule, which they have found themselves unable to enforce by reason of this same fact.

The Commissioners recommend unfavorable action upon the proposed amendment.

Very respectfully,

HENRY L. WEST,
Acting President Board of Commissioners, District of Columbia.

Mr. GALLINGER. Mr. President, I am constrained to make the point of order against the amendment.

Mr. BURKETT. I will ask the Senator to withhold the point for a moment.

Mr. GALLINGER. I will withhold it until the Senator from Nebraska can be heard.

Mr. BURKETT. Mr. President, I doubted whether the chairman of the committee would want to take the responsibility of this matter by raising the point of order. I rather thought he would prefer to let the Senate determine it.

The letter which has been read is characteristic of what the people of the District have been receiving in matters of this importance ever since I have been a Member of Congress. If there is any place in the District where people are being outraged, it is out here at Seventh street and Florida avenue, where these street car companies carry the people out and dump them out into the rain and mud and make them take another car to go out to the borders of the District. There are sixty-seven square miles in the District, and yet these street car companies are doing a thing which such companies are not permitted to do, I dare say, in any other town in the United States, within similar territory, and that is to compel the people to get out and transfer; in short, not running their cars through to the end of the line.

The District Commissioners come in with that letter and say they have not had time to consider it. I want to hurl it back at them that they have had opportunities by the score to consider that same thing in the last few years. There have been no less, by the record, than 500 people before the Commissioners, people who live out in that part of the District of Columbia, hammering at their door, trying to get recognition, that they might be heard and their rights given some attention. They have not only done that, but they have come with petitions and visits and personal interviews before the Committee on the District of Columbia and interviewed Senators individually for a year in an effort to compel the street car companies to run their cars out to the District line—and it is only four or five miles out to the District line—and yet all those people in Takoma Park and all up in that section of the country are compelled to change cars out here at Florida avenue.

The amendment may not be exactly in proper form. I will say, however, it was drawn by an attorney in the District who has a large practice and who, I think, stands very well at the bar. It may not be in proper form. However, in conference it can be adjusted. But this shows exactly what trouble the District has. You can not get any legislation through here that controls or touches anything with reference to the street car system that the managers of those companies do not O. K. We

are in the ridiculous condition to-day of a town of 350,000 people walking a quarter of a mile to get to the depot because the general managers of the street car companies will not agree as to what particular kind of bill we shall pass.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. BURKETT. Certainly.

Mr. GALLINGER. I would ask the Senator from Nebraska either at the present time or to-morrow, if it is convenient to him, to retract the statement he has just made about legislation relating to the street railways.

Mr. BURKETT. If the Senator will point out to me any legislation we have had which they have not consented to, I will retract it.

Mr. GALLINGER. I have no knowledge of their ever asking for any special legislation.

Mr. BURKETT. I have knowledge of the committee bringing a measure into the Senate, and the general managers interviewing Senators in the corridor one by one, and then the bill being withdrawn.

Mr. GALLINGER. I suppose the general managers had a right to be heard—

Mr. BURKETT. I do not doubt that.

Mr. GALLINGER. As much as individuals have a right to be heard.

Mr. BURKETT. They have a right to be heard in the committee room.

Mr. GALLINGER. The Senator has no right to make a statement which impeaches the Committee on the District of Columbia and impeaches Congress; and I think he will see the propriety of withdrawing his language now or at some future time.

Mr. BURKETT. If the Senator will point out any legislation which has passed here within the last ten years against the consent of the railway managers, I will retract that. I want to know some legislation which has been passed.

Mr. GALLINGER. How much legislation has been passed through here on this subject, I will ask the Senator, during the last five years?

Mr. BURKETT. There has been a great deal asked for.

Mr. GALLINGER. Very little.

Mr. BURKETT. I remember when we had a tax bill with respect to these companies, and it was reported from the committee, and it was withdrawn on the floor of the Senate.

Mr. GALLINGER. That is a very unfortunate illustration. If the Senator will make an examination of the case, he will find that the street railway companies of Washington are taxed quite as much as other utility corporations and more than such corporations are in other cities of the country.

Mr. BURKETT. That may be true.

Mr. GALLINGER. It is true.

Mr. BURKETT. But the Committee on the District of Columbia reported that bill out after a good deal of hearing and put it on the Calendar of the Senate. I will say that.

Mr. GALLINGER. It was recommitted to the committee by a very large majority vote of the Senate, and it was not approved of by the committee when the facts were known.

Mr. BURKETT. That does not disprove anything I have said.

Mr. GALLINGER. Oh, well.

Mr. BURKETT. It proves what I have said, that you can not get any legislation through here without the consent of those people. Without any consideration that bill was voted back into the committee, as the Senator himself says. Ever since I have been in Congress, and I suspect ever since the Senator has been in Congress, these people in the suburbs have been hammering for this service, complaining because they have to transfer at Florida avenue.

Mr. GALLINGER. If the Senator will permit me, I think if he will acquaint himself with the facts he will ascertain that there was a time, not far remote, when those cars were run through, and the citizens there protested against that system, and it was changed.

Mr. BURKETT. Yes; that was worse than this.

Mr. GALLINGER. Exactly.

Mr. BURKETT. That was worse than this.

Mr. GALLINGER. I have made the point of order, and when the Senator from Nebraska gets through I shall insist upon its being acted upon.

Mr. BURKETT. That is all right. I want to put the responsibility where it belongs. The Senator has not pointed out any legislation that we have been able to get here that touched one of these street railway companies. I undertake to say there are the poorest equipped street railway systems in the District

of Columbia of any town of its size in the United States. There is not a Senator who will make an investigation who will not bear out that statement.

Mr. CULBERSON. In view of the statement of the Senator from Nebraska and in the general interest, I will ask what is the status of the legislation with respect to the construction of car lines leading to the Union Station?

Mr. BURKETT. Ask the chairman of the committee. We know that for several weeks the bill has been in conference. This morning the Senate was asked to disagree still further and send it back to conference, after the committee of conference could not agree. That is as much as I know. I do not know that anybody else, outside of the conferees, knows anything more. But that is the condition we are in with reference to legislation.

The other day there was in the city a prominent street car man, a man who owns a large share of a street railway system in another city, a practical business man, a man who would not exaggerate this thing. He spent a couple of weeks here. Speaking of the beauties of the city and of its development, he complimented it highly, except the street car companies. Street car man as he was he said, "There is not another town in the country that would permit the miserable equipment you have here in the District of Columbia." That was from a street car man. He spoke further of the overcrowded condition of the cars, and the fact that the street car system was not what it ought to be.

Mr. GALLINGER. I will ask the Senator where that gentleman lives?

Mr. BURKETT. The Senator knows where he lives. I told him about it. I talked with him privately about this matter.

Mr. GALLINGER. I suppose they have the overhead trolley system where he lives—

Mr. BURKETT. Yes, sir; they do.

Mr. GALLINGER. Which costs less than one-third to construct as compared with our system.

Mr. BURKETT. The Senator takes the figures that the general manager quotes all the time to us.

Mr. GALLINGER. I beg the Senator's pardon. He has no right to make that statement.

Mr. BURKETT. That is the statement of the general manager.

Mr. GALLINGER. I make it on my own authority, and I have some knowledge with respect to it.

Mr. BURKETT. It does not make any difference about that. I have no hesitancy in saying that probably I would not have seen this gentleman if he had not come from the town in which I live. But I will say he is equally as good a man, I think, as any of the managers of the street railway companies here; perhaps no better and no worse.

But he is a man who knows the street-car business—not an underground system, to be sure, but a man who knows the street car, whether run by an underground trolley or an overhead trolley.

This is not a new thing, Mr. President. This has been before the committee, and we thrashed it over and received petitions for it. Every Senator here, perhaps, knows exactly where this difficulty is out here on Seventh street and U street. The Ninth-street cars take the people out there and dump them in the rain and mud, and where they have got to wait until the cars go to Takoma Park. It is intended to correct that, and that every six minutes the cars shall go out to Takoma Park without a change at U street. I think that is a fair and just proposition, and I think that anybody in these 67 square miles is entitled to a continuous car service to the District border. At most, it could not be over 5 or 6 miles from the heart of the District out to the District line. It is, perhaps, 4½ miles from Ninth street and the Avenue to the District line. It is a reasonable and fair proposition, and it ought to be done.

The Commissioners intimate that they have not had any consideration of it. They have been so hammered by these people out here that they should make some sort of a report and some kind of an investigation until they are getting heartily sick and tired of it. There are four different suburbs out there that have been holding public meetings and drafting resolutions and sending their representatives both here and to the Commissioners for the last three or four years, in order to get a special bill through, and they never have been able to get one through. I undertake to say that it can not be done any better than I propose to do it here as an amendment to the appropriation bill. I understand that it is new legislation subject to a point of order. If the Senator from New Hampshire wants to take that responsibility, well and good, but it seems to me he had better let it go before the Senate and let the Senate take the responsibility of standing between those people out there and the service they ought to have.

Mr. GALLINGER. Mr. President, I take the responsibility and ask the Chair to rule on the point of order.

The VICE-PRESIDENT. The amendment proposes general legislation and is therefore in contravention of the sixteenth rule. The Chair sustains the point of order.

Mr. BACON. Mr. President, I desire to offer an amendment to the bill. I do not know the point where it would more properly come in, but possibly after the eleventh line, on the thirty-third page. If there is any other point in the bill which the committee would prefer after hearing the amendment, of course I am ready to conform to their wish in that matter.

I will state that the amendment which I am about to send to the desk is a copy of a bill which passed the Senate in the Fifty-ninth Congress, with the approval of the District Committee, after having been before that committee, and also with the approval of the District Commissioners, after having been referred to them and having had their report thereon. It was also put upon the District of Columbia appropriation bill in the Fifty-ninth Congress and was defeated in conference. I will ask that the committee agree to its being inserted in this bill.

The VICE-PRESIDENT. The Senator from Georgia proposes an amendment, which will be read.

The SECRETARY. On page 33, after line 11, insert:

That the street in the District of Columbia now known and designated as "Brightwood avenue" shall hereafter be known and designated as "Georgia avenue," and the street now known and designated as "Georgia avenue" shall hereafter be known and designated as "Navy avenue."

The amendment was agreed to.

Mr. DILLINGHAM. On page 84 of the bill, line 9, I move to amend by inserting after the word "thousand" the words "two hundred."

Mr. GALLINGER. I think that is a very proper amendment.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 84, line 9, where it reads "property clerk, one thousand dollars," insert after "one thousand" the words "two hundred."

The amendment was agreed to.

Mr. GALLINGER. That necessitates a change in the total on page 85 so as to read "\$39,976" in lines 20 and 21.

The VICE-PRESIDENT. The total will be changed accordingly.

Mr. BURKETT. I desire to offer an amendment to come in on page 7, after line 8.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 7, after line 8, it is proposed to insert the following proviso:

Provided, That the board of assessors of the District of Columbia shall deduct from the assessments of taxes levied against such lots bordering on the District line in Takoma Park, from Chestnut street east on Eastern avenue, and on Cedar street near Eastern avenue, as are below the established sewer grade of that part of the District of Columbia, and which can not at present be provided with sewer facilities by the District of Columbia, an amount equal to the sewer tax actually paid by the owners of said lots to the town of Takoma Park, Md., for sewer service, not to exceed \$10 for each house per annum. This deduction shall continue each year until such times as the District sewer shall become available. And the collector of the District of Columbia shall be authorized to collect said assessments less said deductions.

Mr. GALLINGER. I should like the Senator from Nebraska to make some explanation of the amendment. It is entirely new to the committee, certainly to the chairman.

Mr. BURKETT. I will say to the Senator that this was handed to me and I was spoken to about it by a committee of Takoma Park people. Out in the Park in the edge of the District the land goes down. The District has not sewers built into that particular part of Takoma Park. I think there are ten houses there that can not get sewer connections and they have to go across the line to Takoma Park, Md., and pay for sewer connections. The amendment provides that there shall be deducted from the taxes an amount not to exceed \$10 for each house on what they actually pay for connection to Takoma Park, Md.

Mr. GALLINGER. Upon the statement it seems to me to be a very fair proposition. At any rate we will look into it in conference. I am quite willing that it shall go in the bill.

The amendment was agreed to.

Mr. CARTER. On page 30, line 8, I move to strike out "thirty" and insert "fifty," before the word "thousand," so that if amended it will read:

Northwest. Sixteenth street, grade and improve, \$50,000. *

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana.

Mr. GALLINGER. I should like the Senator from Montana to give some reason for that amendment. This schedule was worked out very carefully by the Engineer Commissioner in trying to do justice to the various sections of the city.

Mr. CARTER. Mr. President, it will be recalled that some years ago—indeed, many years ago—certain property owners on Sixteenth street donated their property to the extent, I am informed, of \$1,000,000 in value, with the understanding that Sixteenth street would be opened out to the District line. The Government accepted the donations and then proceeded with the slowest conceivable process of development. Up to this time the street improvement has not passed more than 200 to 300 feet beyond Mount Pleasant avenue. The development called for and understood at the time the donation of property was made, it seems to me, should be in good faith carried out, as far as the District is concerned. Twenty thousand dollars for the extension of this great avenue is equivalent to making no appropriation at all.

I call the attention of Senators to the condition of this great avenue, extending north from the White House. Anyone, I am sure, whose attention is directed to the street and who will take the pains to inspect the development there will perceive a systematic scheme carried out to repress development along the line the Government agreed to develop when it received the donation of the property.

This is the broadest avenue in the District. It is destined in time, whatever repressive forces may at present operate, to be the great avenue of this country. I am told that it is contemplated extending it to the battlefield of Gettysburg. It is 160 feet between the building lines of the street, and yet, sir, a bridge was established across Piney Branch, east of the park, congesting this great avenue down to 30 feet in width. At the same time a bridge was built across what is known as the "extension of Connecticut avenue," at a cost of something in the neighborhood of \$1,000,000.

I do not wish to comment at any length upon the peculiar forces that have led to the strange discrimination in favor of real estate in the northwest part of the city of Washington. I fear it would be a line of comment unpleasant to hear as it would be ungracious to make.

I think the bridge across the Piney Branch on Sixteenth street should be the full width of the street instead of 30 feet—a constricted bridge across a very broad highway. I think the improvements on this street should be pressed forward with a degree of persistence, if you please, indicative of good faith at least on the part of the Government.

I wish to call the attention of the chairman of the committee to this state of facts: On Massachusetts avenue \$25,000 is provided for improvements at a point beyond the limit of public ownership of the highway. Massachusetts avenue has not been developed; the right of way has not been procured by the Government for a portion of Massachusetts avenue beyond the Naval Observatory, and yet we go beyond this private holding of ground into the public commons, where there are no houses, no improvements, no need for street development, and appropriate the sum of \$25,000 to continue the development of a street the right of way of which has not been procured from the center of the city to the point of development.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. CARTER. Certainly.

Mr. GALLINGER. The Senator probably is not aware of the fact that these appropriations for Massachusetts avenue have in view the opening of a highway to the great Methodist university that is being constructed, a highway that of necessity will have to be built in the near future.

Mr. CARTER. Most assuredly. That highway is now open, Mr. President. But I am addressing myself to a street owned by the Government, the right of way to which has been donated by the people with the understanding that a development would occur. This is the main highway to the great Rock Creek Park.

I do not propose to urge at this time the amendment here proposed by any extended comment upon the curious conditions that have led to this repression of the Sixteenth street development, which appear grotesque upon examination, and the extraordinary expenditures that have been made to the northwest.

I shall follow this amendment, if it is adopted, by another providing that the bridge on Piney Branch, which proposes to limit this 160-foot highway to 30 feet by a bridge, or a culvert rather, shall be extended to the full width of the street. I think that ought to be done.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. Certainly.

Mr. GALLINGER. I am in full sympathy with the Senator so far as the bridge part is concerned. I think the bridge over Piney Branch is a grotesque structure. I suggest to the Senator

that if he withdraws the amendment he has just offered and offers an amendment making a sufficient appropriation, whatever that may be, for widening that bridge, I shall not object to it. In fact I think it ought to go in the bill.

Mr. CARTER. Mr. President, perhaps, then, at the end of the line—

Mr. GALLINGER. You withdraw the amendment?

Mr. CARTER. I withdraw the amendment.

The VICE-PRESIDENT. The Senator from Montana withdraws his proposed amendment.

Mr. CARTER. And I propose to add an amendment at the end of line 9.

The VICE-PRESIDENT. The Senator from Montana proposes an amendment, which will be stated.

The SECRETARY. On page 30, at the end of line 9, insert the following proviso:

Provided, That the bridge, or concrete culvert, across Piney Branch on said Sixteenth street shall be constructed the full width of the roadway and sidewalk of said street, and the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated.

Mr. CARTER. I think, instead of saying that, it would be well to make it provide for commencing the execution of such an extension. I do not know that that would be sufficient for the purposes of such extension.

Mr. CLAY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Georgia?

Mr. CARTER. Yes.

Mr. CLAY. That bridge has been completed but a short while?

Mr. CARTER. The bridge is not completed.

Mr. CLAY. It is completed, I think. I think the Senator is incorrect. I passed over it last week.

Mr. CARTER. As the Senator will recall, the bridge is, strictly speaking, a concrete culvert over the stream.

Mr. CLAY. The bridge is not as wide as the street. Sixteenth street is a very wide street and the bridge probably is not half as wide as the street. The bridge, though, is almost out in the country, not in the city. It is in the city, too, but it is in the edge of the city, where there are few residences. The Senator will find woods that have never been cleared all around that bridge.

It strikes me that if the pending bill has been before the committee of the House and they carefully considered it, and this item was not inserted, and now it has been before the committee of the Senate and the Senator from New Hampshire, who is a very diligent Senator, was chairman of the subcommittee to consider this measure, if it is proposed to insert an item to rebuild the bridge or to make it wider at a cost of \$50,000 at least, a matter of this kind ought to have been considered by some committee. It is a very serious matter to submit to an appropriation bill that comes from the House to a committee, when that committee have gone over every item. We add to the bill a little over \$3,000,000, and I submit—

Mr. GALLINGER. A little less than \$2,000,000 I will say to the Senator.

Mr. CLAY. I think I am incorrect in regard to the amount.

Mr. CARTER. If the Senator will permit me—

Mr. CLAY. Certainly.

Mr. CARTER. I desire to correct his view in reference to this matter not having been considered. The substance of this particular amendment was fully considered by the Committee on the District of Columbia in connection with the bill for the widening of Sixteenth street. It was regularly adopted by that committee and passed by the Senate, and a bill for the purpose is now pending in the other branch of Congress.

Mr. CLAY. A bill for the purpose of rebuilding this bridge?

Mr. CARTER. A bill providing for this widening purpose was passed by the Senate at the present session, after full consideration by the Committee on the District of Columbia.

Mr. CLAY. I regard Sixteenth street as one of the most important in the city, and as it grows doubtless the bridge will be widened, but now there are only a few residences near the bridge, and I understand there has been no estimate made by the District Commissioners in regard to this item. It does not involve very much, but certainly for us to take up a measure here now that has been refused by the Committee on Appropriations of the House and refused by the committee of the Senate and to adopt it without any estimate and without any investigation, it being out in the edge of the city, when there are pressing improvements in the city, in my opinion can not be justified.

Mr. CARTER. Mr. President, the Senator's statement will be corrected by him upon an investigation as to the facts. The subject has been considered by the Committee on the District of Columbia; it has been approved by the Senate, and it has

never been rejected by a committee of the House. So the Senator's observations in that particular are subject to some modification according to the record.

Mr. CLAY. Mr. President, when the Committee on Appropriations of the Senate—and I presume the same thing occurred in the House—considered this bill, a schedule fixed by the District Commissioners of the improvements desired on streets was furnished to that committee, and the District Commissioners, having charge of the streets, made no estimate in regard to the change of this bridge. To say the least of it, we have not usually gone beyond the recommendations of the District Commissioners. In fact, the bill carries less than the Commissioners estimated, but, if I remember correctly, no recommendations whatever were made by them in regard to this item.

Mr. CARTER. Mr. President, the Congress of the United States has something to say about the management of the affairs of the District of Columbia as well as the Army officer for the time being charged with making estimates and determining how this city shall be improved.

I say to the Senator from Georgia the construction of this trifling bridge in the midst of that magnificent highway is an indefensible line of action from any point of view. Any Senator or intelligent person who will take the pains to merely gaze upon this trifling structure in the midst of that great highway will at once concede that some one either made an egregious blunder or there was some sort of job involved in an attempt to prevent the development of the city along the line of this great highway to the northward.

The Senator suggests that it is out in the country. Mr. President, that is the thing of which I complain. One of the great thoroughfares of the city has been throttled in the very edge of the city by some scheme, or policy, I had better say, which ought never to have been tolerated anywhere.

Just to the east of Sixteenth street we find Fourteenth street developed out for miles, but there is no way whatever of getting out on Sixteenth street, because the highway has been blocked at this point; and this trifling culvert has been in course of construction for a long period of time. The estimates have called for the sum of ten or twenty thousand dollars at a time, and thus the process of construction has been protracted on a highway which leads to the great Rock Creek Park, which unquestionably would have been used for residential purposes in the normal development of the city if the highway had been permitted to be opened. But it has been kept closed; and I am complaining of that course of conduct on the part of somebody; I am not prepared to indicate the person.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Montana yield?

Mr. CARTER. I am through.

Mr. GALLINGER. I think the trouble has arisen from lapses on the part of the people who are more directly interested in Sixteenth street than some of the rest of us are. It is a great highway, and we ought to be liberal in the appropriations for it; but I remember very well when the appropriation was made for the Piney Branch Bridge. The bill was then in charge of the distinguished Senator from Iowa [Mr. ALLISON], and I feel sure that no person appeared at that time to argue that a larger appropriation should be made than was made at that time. I have looked at that bridge since it was constructed, and I have been persuaded that it is not a credit to the city. In contrast with the great bridge over Connecticut avenue—which is an ornament, and which, I think, ought to have been constructed just as it is—the bridge on Sixteenth street is an inconsequential structure, and beyond a question at some time it will be enlarged. If anything is to go into this bill on the subject, I will say to the Senator from Montana I doubt whether we ought to provide for widening the bridge to the extent of the street and sidewalk, as his amendment proposes. That, I think, would be much wider.

Mr. FRYE. The Connecticut Avenue Bridge does not do that.

Mr. GALLINGER. I think even the Connecticut Avenue Bridge does not do that.

Mr. CARTER. Mr. President, this is more akin to the bridge which crosses Rock Creek on Massachusetts avenue. It is nothing but a culvert; it is not a bridge in any strict sense of the word. It is to be covered over. It is a concrete arch thrown across Piney Branch, and the roadway is built up to the abutments on either side.

Mr. GALLINGER. I wish the Secretary would read the amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated by the Secretary.

The SECRETARY. On page 30, line 9, after the word "dollars," it is proposed to insert:

Provided, That the bridge or concrete culvert across Piney Branch on said Sixteenth street shall be constructed the full width of the roadway and sidewalks of said street; and for this purpose the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. CLAY. Mr. President, has the Senator from Montana any information or any estimates which have been made as to how much it would take to construct the culvert or bridge provided for in his amendment? Does the Senator think that \$50,000 will complete this bridge and make it as wide as that street? The amendment provides that it shall be made as wide as the street. I will say to the Senator that, if we are going to improve this bridge or enlarge it, estimates ought to be made as to what shall be done and how much it will cost in order that Congress may act intelligently.

The Senator from Montana says that any Senator has the right to propose improvements in Washington. That is true; we all represent this District; but a Senator, in order to ask for improvements of this nature and character, ought to have the engineers under the Commissioners make estimates, which estimates ought to go to the Committee on the District of Columbia and be critically and carefully examined. We are here in the dark, making a guess as to how much it will cost to make these improvements, without a single plan ever having been drawn or without any estimates having been made by the District Commissioners. How can Senators stand upon this floor and know how much bridges will cost or how much it will cost to improve streets unless we have engineers to critically examine the streets and bridges and make reports to the Senate? Senators have not time to go and see bridges and examine them carefully and critically, and I doubt if any of us are as capacitated as are engineers to make estimates in order to act intelligently. Here we are asked to act in the dark and to appropriate this additional \$50,000 without any estimate ever having been made by anybody.

Mr. CARTER. Mr. President, the Senator from Georgia, if advised, as are members of the Committee on the District of Columbia, would very materially modify his remarks. I do not wish to engage in any controversy with the Senator from Georgia concerning the deliberations of the Committee on the District of Columbia. I have stated to the Senator from Georgia that this matter was fully, freely, and fairly considered by the Committee on the District of Columbia, and was provided for in a bill reported from the committee and passed by this body.

Now, in order that the Senator's suggestion that we are moving in the dark with reference to the widening of the bridge may be met, I will change the form of this amendment by proposing that we insert, in lieu of "\$20,000," in line 8, on page 30, the sum of "\$40,000."

Mr. GALLINGER. The Senator from Montana withdraws his proposed amendment?

Mr. CARTER. I will only provide in the amendment for the widening of the street, without providing any appropriation in that particular at all. I do this to the end that the improvements, which are now in progress at that particular point, may henceforth be continued with a view to the widening of this bridge to the full limit of the street. I think this will prove economical; that it will be a guide to the engineers in charge of the construction at that point, and it will provide for an increase of \$40,000 in the general expenditure instead of \$20,000.

The VICE-PRESIDENT. The Senator from Montana proposes an amendment, which will be stated.

The SECRETARY. On page 30, line 8, before the word "dollars," it is proposed to strike out "twenty" and insert "forty."

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana.

Mr. CULBERSON. Mr. President, what became of the other amendment proposed by the Senator from Montana [Mr. CARTER]?

Mr. CARTER. Mr. President, if the Senator from Texas will permit me one moment, I propose an amendment at the end of line 9, leaving off reference to the appropriation.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. On page 30, line 9, after the word "dollars," it is proposed to insert the following proviso:

Provided, That the bridge or concrete culvert across Piney Branch on said Sixteenth street shall be constructed the full width of the roadway and sidewalks of said street.

Mr. CULBERSON. That answers my inquiry, Mr. President.

The VICE-PRESIDENT. Without objection, the amendment will be agreed to.

Mr. CLAY. Let the amendment be voted on by the Senate, Mr. President. I prefer to have a vote on the Senator's amendment, as I desire to vote against it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Montana.

Mr. CULBERSON. Before that vote is taken, I recall some moments ago that the Senator from Montana proposed to strike out "\$20,000," in line 8, page 30, and insert "\$50,000" instead. Has that question been determined?

Mr. CARTER. That amendment I withdrew and substituted a motion to insert "\$40,000" instead of "\$20,000."

The VICE-PRESIDENT. The question is on agreeing to the first amendment proposed by the Senator from Montana [Mr. CARTER], on page 30, line 8, to strike out "twenty" and to insert "forty."

The amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the second amendment offered by the Senator from Montana as a proviso on page 30, line 9.

The amendment was agreed to.

Mr. GALLINGER. I would suggest, Mr. President, that the Secretary will, I think, have to change the total in those paragraphs on page 32.

Mr. CARTER. By adding \$20,000.

Mr. GALLINGER. The Secretary can do that at his convenience.

The VICE-PRESIDENT. In the absence of objection, it will be so ordered.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PENSION APPROPRIATION BILL.

Mr. McCUMBER. I move that the Senate proceed to the consideration of House bill 16268, being the pension appropriation bill. It will take only a few moments.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16268) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1909, and for other purposes, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 2, to increase the appropriation for Army and Navy pensions from \$150,000,000 to \$162,000,000.

The amendment was agreed to.

The next amendment was, in the item for Army and Navy pensions, on page 2, line 7, after the word "separately," to insert the following further proviso:

And provided further, That from and after the passage of this act all pensioners who may be inmates of any Soldiers and Sailors' Home, or other institution maintained by any State for the benefit of dependent or other disabled volunteer soldiers, shall have their respective pensions paid to them directly instead of to the treasurer or other officer of the home or institution at which they may be respectively located.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to strike out "For salary of one agent for the payment of pensions, \$4,000," and to insert "For the salaries of eighteen agents for the payment of pensions, at \$4,000 each, \$72,000."

The amendment was agreed to.

The next amendment was, on page 4, after line 12, to strike out:

For clerk hire, and other services in the pension agencies, \$335,000: Provided, That the amount of clerk hire, and other services, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

And to insert:

For clerk hire, and other services, in the pension agencies, \$435,000: Provided, That the amount of clerk hire, and other services, for each agency, shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency and the salaries paid shall be subject to the approval of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, at the top of page 5, to insert:

For rent, New York agency, \$4,500.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert:

For examination and inspection of pension agencies, as provided by the final provision of the act of August 8, 1882, amending section 4766, Revised Statutes, \$1,500.

The amendment was agreed to.

The next amendment was, on page 5, line 9, before the word "thousand," to strike out "thirty" and insert "forty;" and in the same line, after the word "dollars," to insert the following proviso:

Provided, That the Secretary of the Interior shall furnish free to all pensioners franked or penalty envelopes, properly addressed, to be used by said pensioners only for the return of their pension vouchers.

So as to make the clause read:

For stationery and other necessary expenses, \$40,000: Provided, That the Secretary of the Interior shall furnish free to all pensioners franked or penalty envelopes, properly addressed, to be used by said pensioners only for the return of their pension vouchers.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RIO GRANDE RIVER BRIDGE, BROWNSVILLE, TEX.

Mr. CULBERSON. As it is a matter of some urgency, I ask unanimous consent for the present consideration of the bill (S. 6600) authorizing the St. Louis, Brownsville and Mexico Railway Company to construct bridges across the Rio Grande at some point at or near the town of Brownsville, in Cameron County, Tex.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BAYOU D'ARBONNE BRIDGE, LOUISIANA.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. FRYE. I will say to the Senator that the House of Representatives is preparing an omnibus bridge bill, and there are four bridge bills on the Senate Calendar that ought to be sent over to the House to-day.

Mr. LODGE. Very well. I withdraw the motion.

Mr. FOSTER. I ask unanimous consent for the present consideration of the bill (S. 6572) to authorize the Ruston, Natchitoches and Northeastern Railroad Company to construct a bridge across Bayou D'Arbonne, in Louisiana.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COPPER RIVER BRIDGE, ALASKA.

Mr. KEAN. At the request of the Senator from Colorado [Mr. GUGGENHEIM] I ask unanimous consent for the present consideration of the bill (S. 6540) to authorize the Copper River Railway Company to construct two bridges across the Copper River, in the district of Alaska.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE, MONTANA.

Mr. FRYE. There is one other bridge bill on the Calendar, and I ask unanimous consent for its present consideration. It is the bill (S. 6458) to authorize the Yellowstone Valley Steel Bridge Company to construct a bridge across the Missouri River in Montana.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FRYE. That completes the list.

EXECUTIVE SESSION.

Mr. LODGE. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 29, 1908, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 28, 1908.

REAPPOINTMENTS IN THE ARMY.

Assistant surgeons-general to be colonels.

Joseph B. Girard, September 7, 1902.
William C. Gorgas, March 9, 1903.
Philip F. Harvey, August 6, 1903.
Charles B. Byrne, August 9, 1903.
Valery Havard, April 26, 1904.
John Van R. Hoff, January 19, 1905.
George W. Adair, April 6, 1905.
Louis M. Maus, May 10, 1907.
Blair D. Taylor, March 31, 1908.

Deputy surgeons-general to be lieutenant-colonels.

George H. Torney, August 6, 1903.
Louis W. Crampton, August 9, 1903.
Daniel M. Appel, August 3, 1904.
Harry O. Perley, August 14, 1904.
William B. Davis, January 19, 1905.
William W. Gray, April 6, 1905.
Louis Brechemin, July 1, 1905.
Louis A. La Garde, March 17, 1906.
John M. Banister, March 29, 1906.
Aaron H. Appel, May 10, 1907.
Junius L. Powell, March 31, 1908.
Charles Richard, April 10, 1908.

Surgeons to be majors.

W. Fitzhugh Carter, November 30, 1897.
Rudolph G. Ebert, April 17, 1898.
Robert J. Gibson, April 23, 1898.
William H. Arthur, August 23, 1898.
George E. Bushnell, December 10, 1898.
Henry P. Birmingham, December 15, 1898.
Edward Champe Carter, December 21, 1898.
Marlborough C. Wyeth, June 8, 1899.
Richard W. Johnson, November 6, 1899.
William Stephenson, April 28, 1900.
John L. Phillips, October 8, 1900.
William C. Borden, February 2, 1901.
Edgar A. Mearns, February 2, 1901.
Guy L. Edie, February 2, 1901.
William D. Crosby, February 2, 1901.
Charles M. Gandy, February 2, 1901.
Charles B. Ewing, February 2, 1901.
Walter D. McCaw, February 2, 1901.
Jefferson R. Kean, February 2, 1901.
Henry I. Raymond, February 2, 1901.
William P. Kendall, February 2, 1901.
Edward R. Morris, February 2, 1901.
Henry S. T. Harris, February 4, 1901.
William B. Banister, April 2, 1901.
Charles E. Woodruff, April 13, 1901.
Paul Shillock, June 7, 1901.
Ogden Rafferty, October 24, 1901.
Charles F. Mason, December 9, 1901.
James D. Glennan, January 1, 1902.
Alfred E. Bradley, January 1, 1902.
Charles Willcox, April 7, 1902.
Euclid B. Frick, June 28, 1902.
Frank R. Keefer, June 30, 1902.
Thomas U. Raymond, August 12, 1902.
Henry D. Snyder, September 7, 1902.
Philip G. Wales, October 27, 1902.
Allen M. Smith, November 23, 1902.
Joseph T. Clarke, February 13, 1903.
Merritte W. Ireland, August 3, 1903.
Henry C. Fisher, August 9, 1903.
Henry A. Shaw, September 22, 1903.
Charles F. Kieffer, April 26, 1904.
Francis A. Winter, August 3, 1904.
William E. Purviance, August 14, 1904.
George D. Deshon, December 5, 1904.
Champe C. McCulloch, Jr., January 19, 1905.
Frederick P. Reynolds, March 31, 1905.
Robert S. Woodson, April 6, 1905.
Harry M. Hallock, July 1, 1905.
Paul F. Straub, March 17, 1906.
Alexander N. Stark, March 29, 1906.
Charles Lynch, April 2, 1906.
John S. Kulp, May 26, 1906.
Edward L. Munson, July 11, 1906.
James M. Kennedy, March 20, 1907.
Deane C. Howard, April 24, 1907.

William H. Wilson, May 10, 1907.
William F. Lewis, April 10, 1908.
Thomas S. Bratton, April 15, 1908.
Thomas J. Kirkpatrick, April 22, 1908.

Assistant surgeons to be captains.

John H. Stone, November 6, 1900.
Irving W. Rand, November 6, 1900.
Powell C. Fauntleroy, November 15, 1900.
James S. Wilson, December 16, 1900.
Basil H. Dutcher, October 26, 1901.
Leigh A. Fuller, October 26, 1901.
George A. Skinner, October 26, 1901.
Carl R. Darnall, October 26, 1901.
Henry Page, November 6, 1902.
Bailey K. Ashford, November 6, 1902.
Henry A. Webber, November 6, 1902.
Jere B. Clayton, November 6, 1902.
Weston P. Chamberlain, July 23, 1903.
Edward R. Schreiner, July 23, 1903.
Ira A. Shimer, July 23, 1903.
Frederick M. Hartsock, July 23, 1903.
Douglas F. Duval, July 23, 1903.
Clarence J. Manly, July 23, 1903.
David Baker, July 23, 1903.
Albert E. Truby, July 23, 1903.
James R. Church, August 8, 1903.
Joseph H. Ford, December 12, 1903.
Percy M. Ashburn, December 12, 1903.
Elmer A. Dean, December 12, 1903.
Francis M. C. Usher, December 12, 1903.
Willard F. Truby, December 12, 1903.
Frederick F. Russell, December 12, 1903.
Edwin P. Wolfe, December 12, 1903.
Henry S. Greenleaf, January 7, 1904.
Louis T. Hess, January 30, 1904.
Christopher C. Collins, January 30, 1904.
Benjamin J. Edger, Jr., June 14, 1904.
Samuel M. Waterhouse, July 23, 1904.
Eugene H. Hartnett, July 23, 1904.
Clyde S. Ford, June 16, 1904.
Charles E. Marrow, December 12, 1904.
Walter D. Webb, February 10, 1904.
M. A. W. Shockley, February 17, 1905.
Robert N. Winn, April 11, 1905.
Theodore C. Lyster, October 3, 1905.
Sanford H. Wadhams, October 3, 1905.
Chandler P. Robbins, October 3, 1905.
Thomas L. Rhoads, October 3, 1905.
Harry L. Gilchrist, October 3, 1905.
William J. L. Lyster, October 3, 1905.
Walter Cox, December 12, 1904.
Elbert E. Persons, October 3, 1905.
William N. Bispham, October 3, 1905.
Edward F. Geddings, October 9, 1905.
William W. Quinton, October 26, 1898.
Edward P. Rockhill, January 9, 1906.
Arthur W. Morse, February 4, 1906.
Frank C. Baker, February 4, 1906.
Henry S. Kiersted, February 4, 1906.
John D. Yost, July 2, 1905.
Charles R. Reynolds, February 11, 1906.
Paul C. Hutton, February 11, 1906.
Frederick A. Dale, February 11, 1906.
William M. Roberts, February 11, 1906.
Charles W. Farr, February 11, 1906.
Jay Ralph Shook, March 6, 1906.
William E. Vose, March 6, 1906.
Frank T. Woodbury, March 6, 1906.
Henry H. Rutherford, August 16, 1905.
Ernest L. Ruffner, December 15, 1905.
William H. Brooks, January 1, 1906.
Charles N. Barney, January 12, 1906.
Eugene R. Whitmore, June 29, 1906.
Patrick H. McAndrew, June 29, 1906.
Charles Y. Brownlee, June 29, 1906.
John A. Murtagh, June 29, 1906.
George M. Ekwurzel, June 29, 1906.
Gideon McD. Van Poole, June 29, 1906.
William W. Reno, June 29, 1906.
Carroll D. Buck, June 29, 1906.
George H. R. Gosman, June 29, 1906.
Conrad E. Koerper, June 29, 1906.
John H. Allen, June 29, 1906.
Robert U. Patterson, June 29, 1906.
Roderic P. O'Connor, June 29, 1906.

George P. Heard, June 29, 1906.
 Robert E. Noble, June 29, 1906.
 James W. Van Dusen, June 29, 1906.
 Roger Brooke, jr., June 29, 1906.
 Wallace De Witt, June 29, 1906.
 Robert M. Thornburgh, June 29, 1906.
 Robert B. Grubbs, June 29, 1906.
 Edmund D. Shortlidge, June 29, 1906.
 Verge E. Sweazey, June 29, 1906.
 Matthew A. De Laney, June 29, 1906.
 Horace D. Bloombergh, June 29, 1906.
 Paul S. Halloran, June 29, 1906.
 Kent Nelson, June 29, 1906.
 Peter C. Field, June 29, 1906.
 Herbert G. Shaw, June 29, 1906.
 Louis Brechemin, jr., June 29, 1906.
 Lloyd Le R. Krebs, June 29, 1906.
 William P. Woodall, June 29, 1906.
 Clement C. Whitcomb, June 29, 1906.
 George H. Crabtree, September 5, 1906.
 Wilson T. Davidson, November 26, 1905.
 Herbert M. Smith, September 20, 1906.
 Park Howell, March 3, 1906.
 Cosam J. Bartlett, September 21, 1906.
 Reuben B. Miller, October 30, 1906.
 Charles A. Ragan, October 30, 1906.
 William R. Eastman, October 30, 1906.
 James F. Hall, October 30, 1906.
 Raymond F. Metcalfe, October 30, 1906.
 Edwin W. Rich, October 30, 1906.
 Perry L. Boyer, October 30, 1906.
 James M. Phalen, October 30, 1906.
 James L. Bevans, June 16, 1906.
 William L. Little, January 6, 1907.
 Allie W. Williams, February 4, 1907.
 John L. Shepard, February 21, 1907.
 William L. Keller, June 2, 1907.
 Charles C. Billingslea, June 2, 1907.
 William H. Moncrief, November 30, 1906.
 Nelson Gapen, June 24, 1907.
 William T. Davis, June 24, 1907.
 Charles F. Morse, June 24, 1907.
 Haywood S. Hansell, June 24, 1907.
 Junius C. Gregory, June 24, 1907.
 Clarence H. Connor, June 24, 1907.
 Jay W. Grissinger, June 24, 1907.
 Will L. Pyles, June 24, 1907.
 William M. Smart, June 24, 1907.
 Harry S. Purnell, June 24, 1907.
 Robert M. Blanchard, July 16, 1907.
 James Bourke, September 9, 1907.
 Samuel M. De Loffre, September 10, 1907.
 Louis C. Duncan, May 10, 1907.
 Edward M. Talbott, October 27, 1907.
 John A. Clark, October 27, 1907.
 Samuel J. Morris, October 27, 1907.
 Jacob M. Coffin, October 27, 1907.
 John W. Hanner, October 27, 1907.
 Levy M. Hathaway, October 27, 1907.
 Alexander Murray, October 27, 1907.
 Philip W. Huntington, October 27, 1907.
 James D. Fife, October 27, 1907.
 William A. Powell, October 27, 1907.
 Leon T. Le Wald, October 27, 1907.
 Jesse R. Harris, October 27, 1907.
 George H. Scott, October 27, 1907.
 Edwin D. Kilbourne, October 27, 1907.
 Robert L. Carswell, October 27, 1907.
 Robert L. Richards, January 22, 1908.
 Charles F. Craig, February 18, 1908.
 William P. Banta, February 18, 1908.
 Robert H. Pierson, April 23, 1908.
 Cary A. Snoddy, April 23, 1908.
 James I. Mabee, April 23, 1908.
 George P. Peed, December 30, 1903.
 Ralph S. Porter, April 12, 1904.
 Henry D. Thomason, March 3, 1905.
 Percy L. Jones, June 26, 1905.
 Fred W. Palmer, November 14, 1906.
 Edward B. Vedder, April 23, 1908.
 Henry F. Pipes, April 23, 1908.
 Charles L. Foster, April 23, 1908.
 John R. Bosley, April 23, 1908.
 Robert C. Loving, April 23, 1908.
 Chester J. Stedman, April 23, 1908.
 Orville G. Brown, April 23, 1908.

George F. Juenemann, April 23, 1908.
 Joseph F. Siler, April 23, 1908.
 Arthur M. Whaley, April 23, 1908.
 Theodore Lamson, April 23, 1908.
 Craig R. Snyder, April 23, 1908.
 Ernest G. Bingham, April 23, 1908.
 James D. Heysinger, April 23, 1908.
 Lloyd L. Smith, April 23, 1908.
 John B. Huggins, April 23, 1908.
 Edgar W. Miller, April 23, 1908.
 William H. Tefft, April 23, 1908.
 William R. Davis, August 8, 1907.
 Leartus J. Owen, April 23, 1908.
 Stanley G. Zinke, April 23, 1908.
 Robert M. Culler, April 23, 1908.
 Frank W. Weed, April 23, 1908.
 William A. Wickline, April 23, 1908.
 Henry L. Brown, April 23, 1908.
 Howard H. Bailly, April 23, 1908.
 Harry G. Humphreys, April 23, 1908.
 Paul L. Freeman, April 23, 1908.

Assistant surgeons to be first lieutenants.

William A. Duncan, May 1, 1905.
 Earl H. Bruns, May 1, 1905.
 Herbert C. Gibner, May 1, 1905.
 Clarence Le R. Cole, May 10, 1905.
 Albert G. Love, June 20, 1906.
 Harold W. Jones, June 20, 1906.
 Omar W. Pinkston, June 20, 1906.
 Mathew A. Reasoner, June 20, 1906.
 Henry J. Nichols, June 20, 1906.
 Louis H. Hanson, June 20, 1906.
 Lucius L. Hopwood, June 20, 1906.
 Charles E. Freeman, June 20, 1906.
 Ferdinand Schmitter, June 20, 1906.
 Howard A. Reed, June 20, 1906.
 Henry B. McIntyre, June 20, 1906.
 Frederick S. Macy, June 15, 1907.
 Guy V. Rukke, June 15, 1907.
 Henry C. Pillsbury, June 15, 1907.
 Edgar King, June 15, 1907.
 Arthur C. Christie, June 15, 1907.
 Howard H. Johnson, June 15, 1907.
 Ray W. Bryan, June 15, 1907.
 Bernard S. Gostin, June 15, 1907.
 William H. Richardson, June 15, 1907.
 William K. Bartlett, June 15, 1907.

PROMOTION IN THE ARMY.

Infantry Arm.

Almon L. Parmerter, Twenty-first Infantry, to be major from April 24, 1908, vice Blauvelt, Sixteenth Infantry, detailed as paymaster.

PROMOTIONS IN REVENUE-CUTTER SERVICE.

Capt. William Hickson Cushing to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Oscar Charles Hamlet to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Frederic Montford Munger to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Frank Hamilton Newcomb to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Horatio Davis Smith to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Francis Grey Ford Wadsworth to be a senior captain in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers Charles Frederick Coffin to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers John Richard Dally to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers David McComas French to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers Charles Warren Munroe to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers Edward George Schwartz to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

First Lieutenant of Engineers Horace Capron Whitworth to be a senior engineer in the Revenue-Cutter Service of the United States. New office created by the act of Congress approved April 16, 1908.

Capt. Charles Frederick Shoemaker, retired, Revenue-Cutter Service, to be captain-commandant, retired, in the Revenue-Cutter Service of the United States, under the provisions of section 6 of the act of Congress approved April 16, 1908.

POSTMASTERS.

ALABAMA.

William Wagner to be postmaster at Atmore, Escambia County, Ala. Office became Presidential October 1, 1906.

ALASKA.

Lillie N. Gordon to be postmaster at Seward, Alaska. Office became Presidential October 1, 1906.

CALIFORNIA.

Franklin L. Glass to be postmaster at Martinez, Contra Costa County, Cal., in place of Franklin L. Glass. Incumbent's commission expired April 27, 1908.

GEORGIA.

Harry S. Edwards to be postmaster at Macon, Bibb County, Ga., in place of Harry S. Edwards. Incumbent's commission expired April 27, 1908.

John F. Jenkins to be postmaster at Ashburn, Turner County, Ga., in place of John F. Jenkins. Incumbent's commission expires April 28, 1908.

Levi L. Spence to be postmaster at Ball Ground, Cherokee County, Ga. Office became Presidential April 1, 1908.

Albert N. Tumlin to be postmaster at Cave Springs, Floyd County, Ga. Office became Presidential April 1, 1908.

KANSAS.

George W. Hill to be postmaster at Douglass, Butler County, Kans., in place of George W. Hill. Incumbent's commission expired November 17, 1907.

LOUISIANA.

Robert A. Giddens to be postmaster at Coushatta, Red River Parish, La. Office became Presidential January 1, 1908.

MICHIGAN.

Orlo S. Pattison to be postmaster at Caro, Tuscola County, Mich., in place of Fred Slocum. Incumbent's commission expired January 26, 1908.

NEW JERSEY.

Theodore S. Moore to be postmaster at Stockton, Hunterdon County, N. J. Office became Presidential April 1, 1908.

NEW YORK.

William B. Adams to be postmaster at Bedford Station, Westchester County, N. Y., in place of William B. Adams. Incumbent's commission expired January 18, 1908.

Frederic A. Purdy to be postmaster at Croton Falls, Westchester County, N. Y. Office became Presidential April 1, 1908.

Albert Weed to be postmaster at Ticonderoga, Essex County, N. Y., in place of Albert Weed. Incumbent's commission expired January 18, 1908.

NORTH CAROLINA.

Mattie S. Martin to be postmaster at Leaksville, Rockingham County, N. C. Office became Presidential April 1, 1908. (Postmaster deceased.)

OHIO.

John McGuff to be postmaster at Creston, Wayne County, Ohio, in place of John McGuff. Incumbent's commission expired April 19, 1908.

PENNSYLVANIA.

A. M. Ehart to be postmaster at Wayne, Delaware County, Pa., in place of George W. Brown. Incumbent's commission expired March 21, 1906.

William H. D. Godshall to be postmaster at Lansdale, Montgomery County, Pa., in place of Henry D. Ruth. Incumbent's commission expired April 27, 1908.

TENNESSEE.

William B. Pickering to be postmaster at Carthage, Smith County, Tenn. Office became Presidential April 1, 1908.

TEXAS.

Robert B. Rentfro to be postmaster at Brownsville, Cameron County, Tex., in place of Joel B. Sharpe. Incumbent's commission expired January 27, 1908.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 28, 1908.

PENSION AGENT.

Joab N. Patterson, of New Hampshire, to be pension agent at Concord, N. H.

MARSHALS.

Guy Murchie, of Massachusetts, to be United States marshal for the district of Massachusetts.

Aaron M. Storer, of Mississippi, to be United States marshal for the northern district of Mississippi.

APPOINTMENTS IN THE ARMY.

General officers.

Brig. Gen. Thomas H. Barry to be major-general from April 29, 1908.

Col. Charles Morris, Coast Artillery Corps, to be brigadier-general.

Col. Philip Reade, Twenty-third Infantry, to be brigadier-general.

PROMOTIONS IN THE ARMY.

Medical Department.

Capt. Thomas S. Bratton, assistant surgeon, to be surgeon, with the rank of major, from April 15, 1908.

Cavalry Arm.

Lieut. Col. George A. Dodd, Fourth Cavalry, to be colonel from April 14, 1908.

Maj. John Pitcher, Second Cavalry, to be lieutenant-colonel from April 14, 1908.

Capt. Stephen L. H. Slocum, First Cavalry, to be major from April 14, 1908.

First Lieut. John W. Moore, Second Cavalry, to be captain from April 14, 1908.

First Lieut. Marion C. Raysor, Fifth Cavalry, to be captain from April 16, 1908.

To be placed on the retired list of the Army with the rank of brigadier-general from the dates on which they shall be retired from active service, respectively:

Col. Henry M. Adams, Corps of Engineers.

Col. Clinton B. Sears, Corps of Engineers.

Col. Richard L. Hoxie, Corps of Engineers.

PROMOTIONS IN THE NAVY.

Capt. William S. Cowles to be a rear-admiral in the Navy from the 23d day of April, 1908.

Commander Alexander Sharp, an additional number in grade, to be a captain in the Navy from the 23d day of April, 1908.

Pay Inspector Charles S. Williams to be a pay director in the Navy from the 5th day of April, 1908.

POSTMASTERS.

ALASKA.

John T. Spickett to be postmaster at Juneau, Alaska.

ARKANSAS.

F. G. Briggs to be postmaster at Judsonia, White County, Ark. James U. Brown to be postmaster at Huttig, Union County, Ark.

Harry E. Courtney to be postmaster at Lake Village, in the county of Chicot and State of Arkansas.

C. A. Dawson to be postmaster at Marked Tree, in the county of Poinsett and State of Arkansas.

Arthur Deland to be postmaster at Black Rock, Lawrence County, Ark.

Mattie C. De Vaughan to be postmaster at Waldo, Columbia County, Ark.

John Edwards to be postmaster at Gurdon, Clark County, Ark.

Claude R. Ferguson to be postmaster at Huntington, in the county of Sebastian and State of Arkansas.

Robert L. Floyd to be postmaster at El Dorado, Union County, Ark.

Charles L. Jones to be postmaster at Junction City (late Junction), Union County, Ark.

R. M. Jordan to be postmaster at Fordyce, Dallas County, Ark.

M. B. Leming to be postmaster at Waldron, Scott County, Ark.

Joel M. McClintock to be postmaster at Devall Bluff, Prairie County, Ark.

James L. McKamey to be postmaster at Imboden, Lawrence County, Ark.

William T. Moore to be postmaster at Leslie, Searcy County, Ark.

Eva V. Moss to be postmaster at Earl, in the county of Crittenden and State of Arkansas.

T. B. Murphy to be postmaster at Alma, in the county of Crawford and State of Arkansas.

Nannie H. Savage to be postmaster at Monticello, Drew County, Ark.

Fidelles B. Schooley to be postmaster at England, Lonoke County, Ark.

William Sheridan to be postmaster at Beebe, White County, Ark.

J. A. Steele to be postmaster at Lewisville, Lafayette County, Ark.

John H. Thompson to be postmaster at Yellville, Marion County, Ark.

James H. Wright to be postmaster at Hartford, in the county of Sebastian and State of Arkansas.

INDIANA.

Robert H. Bryson to be postmaster at Indianapolis, Marion County, Ind.

MICHIGAN.

Orlo S. Pattison to be postmaster at Caro, Tuscola County, Mich.

MISSISSIPPI.

David F. Breckenridge to be postmaster at Como, Panola County, Miss.

William A. Carr to be postmaster at Coffeetown, Yalobusha County, Miss.

Alfred B. Clifton to be postmaster at Hernando, De Soto County, Miss.

John C. Clifton to be postmaster at Senatobia, Tate County, Miss.

Maze H. Daily to be postmaster at Coldwater, Tate County, Miss.

Andrew J. Darden to be postmaster at Centerville, Wilkinson County, Miss.

William G. Edwards to be postmaster at Enterprise, Clarke County, Miss.

Irene F. Elliott to be postmaster at Okolona, Chickasaw County, Miss.

Frank Fairly to be postmaster at Mount Olive, Covington County, Miss.

Thomas R. Gates to be postmaster at Shubuta, Clarke County, Miss.

Lou J. Hall to be postmaster at Brookville, Noxubee County, Miss.

Charles L. Hovis to be postmaster at Ripley, Tippah County, Miss.

Lewis M. Joyner to be postmaster at Agricultural College, Oktibbeha County, Miss.

Thomas F. Logan to be postmaster at Friar Point, Coahoma County, Miss.

John R. Matthews to be postmaster at Wesson, Copiah County, Miss.

John H. Nutt to be postmaster at Sumrall, Lamar County, Miss.

Wade H. Phyfer to be postmaster at New Albany, Union County, Miss.

Annie M. Summers to be postmaster at Charleston, Tallahatchie County, Miss.

Benjamin R. Trotter to be postmaster at Lucedale, Greene County, Miss.

Bennett A. Truly to be postmaster at Fayette, Jefferson County, Miss.

James M. Tyler to be postmaster at Bogue Chitto, Lincoln County, Miss.

John G. Webb to be postmaster at Pickens, Holmes County, Miss.

Benjamin A. Weems to be postmaster at Purvis, Lamar County, Miss.

Henrietta Welch to be postmaster at Carrollton, Carroll County, Miss.

Emma L. Whyte to be postmaster at Bond, Harrison County, Miss.

Mae Wright to be postmaster at Osyka, Pike County, Miss.

MISSOURI.

George W. Goins to be postmaster at Breckenridge, Caldwell County, Mo.

James Tait, sr., to be postmaster at Polo, Caldwell County, Mo.

NEW YORK.

John T. Dare to be postmaster at Patchogue, Suffolk County, N. Y.

John J. Hollis to be postmaster at Lacona, Oswego County, N. Y.

George S. Fordyce to be postmaster at Union Springs, Cayuga County, N. Y.

NORTH CAROLINA.

Thomas C. Smith to be postmaster at Rutherfordton, Rutherford County, N. C.

OKLAHOMA.

George C. Barber to be postmaster at Prague, in the county of Lincoln and State of Oklahoma.

David C. Blossom to be postmaster at Atoka, Atoka County, Okla.

Harry S. Bockes to be postmaster at Duncan, in the county of Stephens and State of Oklahoma.

Louis N. Bushorr to be postmaster at Pawnee, Pawnee County, Okla.

William R. Casteel to be postmaster at Mounds, Creek County, Okla.

Daniel G. Dodds to be postmaster at Beggs, in the county of Okmulgee and State of Oklahoma.

Addison F. Farr to be postmaster at Hooker, Beaver County, Okla.

Charles F. Hartrnft to be postmaster at Foss, Washita County, Okla.

Cyrus Howenstine to be postmaster at Arapaho, in the county of Custer and State of Oklahoma.

John M. Lapham to be postmaster at Cement, Caddo County, Okla.

Arthur E. Leap to be postmaster at Collinsville, in the county of Rogers and State of Oklahoma.

O. F. Mason to be postmaster at Afton, in the county of Ottawa and State of Oklahoma.

Louis M. Merritt to be postmaster at Roff, Chickasaw County, Okla.

John L. Morgan to be postmaster at Waurika, in the county of Comanche and State of Oklahoma.

F. E. Nichols to be postmaster at Elk City (late Busch), in the county of Roger Mills and State of Oklahoma.

John B. Willeford to be postmaster at Olustee, Greer County, Okla.

PENNSYLVANIA.

Harvey E. Brinley to be postmaster at Birdsboro, Berks County, Pa.

John H. Brubaker to be postmaster at Elizabethtown, Lancaster County, Pa.

John W. Chamberlain to be postmaster at Wyalusing, Bradford County, Pa.

John C. Crissman to be postmaster at Arnold, Westmoreland County, Pa.

Joseph Davis to be postmaster at Taylor, Lackawanna County, Pa.

John F. Fenstermacher to be postmaster at Mount Joy, Lancaster County, Pa.

William H. Fulton to be postmaster at Stewartstown, York County, Pa.

James E. Hunter to be postmaster at Turtle Creek, Allegheny County, Pa.

Charles S. Madeira to be postmaster at Fleetwood, Berks County, Pa.

Anne D. Moore to be postmaster at Avondale, Chester County, Pa.

James E. Rupert to be postmaster at Conneautville, Crawford County, Pa.

Samuel B. Sickelsmith to be postmaster at New Haven, Fayette County, Pa.

Charles A. Suesserott to be postmaster at Chambersburg, Franklin County, Pa.

Joseph S. Taylor to be postmaster at Morrisville, Bucks County, Pa.

Bert L. Venen to be postmaster at Springboro, Crawford County, Pa.

TENNESSEE.

J. I. Harrison to be postmaster at Cleveland, Bradley County, Tenn.

Sallie J. Massey to be postmaster at Sevierville, Sevier County, Tenn.

W. H. Wilson to be postmaster at Martin, Weakley County, Tenn.

TEXAS.

Robert H. Armstrong to be postmaster at Kaufman, Kaufman County, Tex.

Joseph W. Barber to be postmaster at Ranger, Eastland County, Tex.

John J. Bartlett to be postmaster at Hughes Springs, Cass County, Tex.

William H. Bradley to be postmaster at Groveton, Trinity County, Tex.

Charles R. Bone to be postmaster at Beaumont, Jefferson County, Tex.

John H. Carson to be postmaster at Dayton, Liberty County, Tex.

John A. Couch, sr., to be postmaster at Munday, Knox County, Tex.

Louis W. Durrell to be postmaster at Alpine, Brewster County, Tex.

Carl E. Ericson to be postmaster at El Campo, Wharton County, Tex.

Clinton J. Farrell to be postmaster at Vernon, Wilbarger County, Tex.

Charles H. Farwell to be postmaster at Channing, Hartley County, Tex.

Marion S. French to be postmaster at Alvin, Brazoria County, Tex.

Henry C. Ford to be postmaster at Whitney, Hill County, Tex.

W. A. Gardner to be postmaster at Falfurrias, Starr County, Tex.

Robert B. Gordon to be postmaster at Strawn, Palo Pinto County, Tex.

Lucius C. Guin to be postmaster at Mount Calm, Hill County, Tex.

Andrew J. Harrison to be postmaster at Goldthwaite, Mills County, Tex.

John Harvey to be postmaster at Meridian, Bosque County, Tex.

Leland S. Howard to be postmaster at Roscoe, Nolan County, Tex.

Covey M. Hughs to be postmaster at Wharton, Wharton County, Tex.

Fred P. Ingerson to be postmaster at Barstow, Ward County, Tex.

James E. Lindsey to be postmaster at Rule, Haskell County, Tex.

William N. Merritt to be postmaster at Nocona, Montague County, Tex.

William B. Montgomery to be postmaster at Stanton, Martin County, Tex.

Charles B. Moore to be postmaster at Lovelady, Houston County, Tex.

Orion L. Nicolls to be postmaster at Marfa, Presidio County, Tex.

Jose V. Palacios to be postmaster at San Diego, Duval County, Tex.

Clarence V. Rattan to be postmaster at Cooper, Delta County, Tex.

Rudolph L. Reuser to be postmaster at Runge, Karnes County, Tex.

Michael A. Rickard to be postmaster at Mount Pleasant, Titus County, Tex.

John G. Ross to be postmaster at Garrison, Nacogdoches County, Tex.

Benjamin M. Sheldon to be postmaster at Rockport, Aransas County, Tex.

Harper Simpson to be postmaster at Edna, Jackson County, Tex.

L. A. Smith to be postmaster at De Kalb, Bowie County, Tex.

Charlie B. Starke to be postmaster at Holland, Bell County, Tex.

George F. Taylor to be postmaster at Royse City, Rockwall County, Tex.

Henry T. Vaughan to be postmaster at Mart, McLennan County, Tex.

Henry J. Veltman to be postmaster at Brackettville, Kinney County, Tex.

Denny E. Walshe to be postmaster at Grand Saline, Van Zandt County, Tex.

Jacob A. Wright to be postmaster at Crowell, Foard County, Tex.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 28, 1908.

[Continuation of the legislative day of Monday, April 20, 1908.]

The recess having expired, at 11.30 o'clock a. m. the House was called to order by the Speaker.

SUNDY CIVIL APPROPRIATION BILL.

The SPEAKER. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21260, the sundry civil appropriation bill.

The question was taken.

Mr. WILLIAMS. Mr. Speaker, I demand the yeas and nays.

Mr. PAYNE. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from New York makes the point of no quorum. The Chair will count. [After counting.] Sixty-three Members are present; not a quorum. The point of order is sustained. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the question will be taken on the motion that the House resolve itself into the Committee of the Whole House for the further consideration of the sundry civil appropriation bill.

The question was taken, and there were—yeas 263, answered "present" 8, not voting 116, as follows:

YEAS—263.

Adair	Douglas	Humphrey, Wash.	Perkins
Adamson	Draper	Humphreys, Miss.	Pollard
Aiken	Driscoll	James, Ollie M.	Porter
Alexander, Mo.	Durey	Jenkins	Pray
Allen	Dwight	Johnson, Ky.	Prince
Andrus	Ellis, Mo.	Johnson, S. C.	Rainey
Ansberry	Ellis, Oreg.	Jones, Wash.	Randell, Tex.
Anthony	Englebright	Kahn	Rauch
Ashbrook	Esch	Keller	Reeder
Bartholdt	Fairchild	Keliher	Reynolds
Bartlett, Ga.	Favrot	Kennedy, Iowa	Rhinock
Bartlett, Nev.	Ferris	Kinkaid	Richardson
Bates	Finley	Kipp	Robinson
Beale, Pa.	Fitzgerald	Knapp	Rodenberg
Beall, Tex.	Flood	Knopf	Rothermel
Bede	Floyd	Knowland	Rucker
Bell, Ga.	Fordney	Küstermann	Russell, Mo.
Bennet, N. Y.	Fornes	Lafean	Russell, Tex.
Birdsall	Foss	Lamar, Mo.	Sabath
Bonyne	Foster, Ill.	Lamb	Scott
Booher	Foster, Ind.	Lassiter	Sheppard
Bowers	Foulkrod	Lawrence	Sherley
Bradley	French	Lee	Sherwood
Brantley	Fuller	Lenahan	Sims
Brodhead	Fulton	Lewis	Slayden
Brownlow	Gaines, W. Va.	Lindbergh	Slemp
Brundidge	Gardner, Mich.	Lindsay	Smith, Cal.
Burgess	Gardner, N. J.	Littlefield	Smith, Iowa
Burleigh	Garner	Longworth	Smith, Mich.
Burleson	Gillhams	Loud	Smith, Mo.
Burnett	Gillespie	Loudenslager	Smith, Tex.
Burton, Del.	Godwin	Lowden	Snapp
Butler	Gordon	McDermott	Southwick
Byrd	Goulden	McHenry	Sparkman
Caldwell	Granger	McKinney	Sperry
Campbell	Greene	McLachlan, Cal.	Spight
Candler	Gregg	McLaughlin, Mich.	Stafford
Capron	Griggs	McMillan	Steenerson
Caulfield	Gronna	McMorran	Stephens, Tex.
Chaney	Hackett	Macon	Sterling
Chapman	Hackney	Madden	Sturgiss
Clark, Fla.	Hale	Madison	Sulloway
Clark, Mo.	Hall	Malby	Sulzer
Clayton	Hamilton, Iowa	Mann	Talbot
Cole	Hamilton, Mich.	Miller	Taylor, Ohio
Conner	Hammond	Mondell	Thistlewood
Cook, Colo.	Harding	Moon, Pa.	Thomas, N. C.
Cooper, Pa.	Hardy	Moon, Tenn.	Thomas, Ohio
Cooper, Tex.	Haskins	Moore, Pa.	Tirrell
Cooper, Wis.	Haugen	Moore, Tex.	Tou Velle
Cousins	Hawley	Mouser	Townsend
Cox, Ind.	Hay	Murdock	Underwood
Cravens	Hayes	Murphy	Vreeland
Crawford	Hefflin	Needham	Wanger
Crumpacker	Helm	Nelson	Washburn
Currier	Henry, Tex.	Nicholls	Watkins
Dalzell	Higgins	Norris	Watson
Darragh	Hinshaw	Nye	Webb
Davenport	Holliday	O'Connell	Weeks
Davidson	Houston	Olcott	Wheeler
Davis, Minn.	Howell, N. J.	Padgett	Williams
Dawson	Howell, Utah	Page	Wilson, Ill.
De Armond	Howland	Parker, N. J.	Wilson, Pa.
Denver	Hughes, N. J.	Parker, S. Dak.	Wood
Diekema	Hull, Iowa	Parsons	Young
Dixon	Hull, Tenn.	Payne	

ANSWERED "PRESENT"—8.

Garrett	Hardwick	Lovering	Shackleford
Hamlin	Harrison	Morse	Sherman

NOT VOTING—116.

Acheson	Bennett, Ky.	Burke	Cary
Alexander, N. Y.	Bingham	Burton, Ohio	Cockran
Ames	Boutell	Calder	Cocks, N. Y.
Bannon	Boyd	Calderhead	Cook, Pa.
Barchfeld	Broussard	Carlin	Coudrey
Barclay	Brumm	Carter	Craig

Cushman	Henry, Conn.	Leake	Powers
Davey, La.	Hepburn	Legare	Pratt
Dawes	Hill, Conn.	Lever	Pujo
Denby	Hill, Miss.	Lilley	Ransdell, La.
Dunwell	Hitchcock	Livingston	Reid
Edwards, Ga.	Hobson	Lloyd	Riordan
Edwards, Ky.	Howard	Lorimer	Roberts
Ellerbe	Hubbard, Iowa	McCall	Ryan
Fassett	Hubbard, W. Va.	McCreary	Saunders
Focht	Huff	McGuire	Small
Foster, Vt.	Hughes, W. Va.	McKinlay, Cal.	Stanley
Fowler	Jackson	McKinlay, Ill.	Stevens, Minn.
Gaines, Tenn.	James, Addison D.	McLain	Tawney
Gardner, Mass.	Jones, Va.	Marshall	Taylor, Ala.
Gill	Kennedy, Ohio	Maynard	Volstead
Gillett	Kimball	Mudd	Wallace
Glass	Kitchin, Claude	Olmsted	Weems
Goebel	Kitchin, Wm. W.	Overstreet	Weisse
Goldfogle	Lamar, Fla.	Patterson	Wiley
Graft	Landis	Pearre	Willett
Graham	Langley	Peters	Wolf
Haggott	Laning	Pou	Woodyard
Hamill	Law		

So the motion was agreed to.

The Clerk announced the following pairs:
For the day:

Mr. McGUIRE with Mr. STANLEY.

Mr. POWERS with Mr. PRATT.

Mr. CABY with Mr. WOLF.

Until Wednesday:

Mr. HILL of Connecticut with Mr. GLASS.

Until further notice:

Mr. BARCLAY with Mr. COCKRAN.

Mr. GRAHAM with Mr. LEAKE.

Mr. PEARRE with Mr. CRAIG.

Mr. BINGHAM with Mr. LAMAR of Florida.

Mr. LANGLEY with Mr. HAMLIN.

Mr. JACKSON with Mr. ELLERBE.

Mr. BOUTELL with Mr. WILEY.

Mr. HEPBURN with Mr. LIVINGSTON.

Mr. BANNON with Mr. DAVEY of Louisiana.

Mr. COCKS of New York with Mr. CARTER.

Mr. HUGHES of West Virginia with Mr. LEGARE.

Mr. ROBERTS with Mr. BROUSSARD.

Mr. HAGGOTT with Mr. WILLIAM W. KITCHIN.

Mr. FASSETT with Mr. HARDWICK.

Mr. MUDD with Mr. WALLACE.

Mr. ADDISON D. JAMES with Mr. KIMBALL.

Mr. BENNETT of Kentucky with Mr. EDWARDS of Georgia.

Mr. FOSTER of Vermont with Mr. POU.

Mr. COUDREY with Mr. HOBSON.

Mr. McCREARY with Mr. HOWARD.

Mr. STEVENS of Minnesota with Mr. WEISSE.

Mr. GRAHAM with Mr. PETERS.

Mr. MCKINLAY of California with Mr. GARRETT.

Mr. WOODYARD with Mr. WILLETT.

Mr. TAWNEY with Mr. TAYLOR of Alabama.

Mr. OVERSTREET with Mr. SHACKLEFORD.

Mr. ALEXANDER of New York with Mr. CARLIN.

Mr. BARCHFELD with Mr. GAINES of Tennessee.

Mr. BURKE with Mr. GILL.

Mr. BURTON of Ohio with Mr. GOLDFOGLE.

Mr. CALDER with Mr. HAMILL.

Mr. COOK of Pennsylvania with Mr. HARRISON.

Mr. CUSHMAN with Mr. HITCHCOCK.

Mr. DENBY with Mr. HILL of Mississippi.

Mr. FOCHT with Mr. JONES of Virginia.

Mr. GILLETT with Mr. CLAUDE KITCHIN.

Mr. WEEMS with Mr. SMALL.

Mr. HENRY of Connecticut with Mr. LEVER.

Mr. HUBBARD of West Virginia with Mr. PATTERSON.

Mr. HUFF with Mr. LLOYD.

Mr. LANDIS with Mr. McLAIN.

Mr. LANING with Mr. MAYNARD.

Mr. LILLEY with Mr. PUJO.

Mr. LORIMER with Mr. RANSDELL of Louisiana.

Mr. LOVERING with Mr. REID.

Mr. MCKINLEY of Illinois with Mr. RYAN.

Mr. OLMSTED with Mr. SAUNDERS.

For the session:

Mr. SHERMAN with Mr. RIORDAN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the doorkeeper will open the doors. Pending the announcement of the vote, without objection, the Chair lays before the House a report from the Committee on Enrolled Bills.

Mr. WILLIAMS. Mr. Speaker, whatever the regular order may be under the rules and the special rules, I call for it.

The SPEAKER. The gentleman from Mississippi demands the regular order.

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the message of the President of the United States to Congress be now read in the House.

Mr. FITZGERALD. It has not arrived yet, Mr. Speaker.

The SPEAKER. The message has not—

Mr. FITZGERALD. I ask the gentleman from Indiana to tell the message to the Speaker so we may have it laid before the House. He seems to go to the White House very frequently.

The SPEAKER. The ayes have it, and the motion prevails, and the gentleman from Indiana [Mr. WATSON] will take the chair.

SUNDY CIVIL APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

Mr. SMITH of Iowa. Mr. Chairman, I yield twenty minutes to the gentleman from Massachusetts [Mr. LOVERING].

The CHAIRMAN. The gentleman from Massachusetts is recognized for twenty minutes.

Mr. LOVERING. Mr. Chairman, when we came to the Sixtieth Congress in December the one uppermost and burning question in all our minds was that of currency reform. Nothing would satisfy us but the immediate appointment of the Committee on Banking and Currency, with the idea that something should be done at once. The committee was appointed, and the only committee appointed before the holiday recess. We were told that some measure was to be pushed through and written on the statute books without delay.

We were just emerging from a panic, confidence had fled, and we were in the midst of a business depression, from which we have not, by any means, yet recovered. It was hoped that some measure would be promptly adopted to reestablish confidence, as would have been the case in any other civilized country in the world. As time went on, however, we fell back into our old-time ways of doing nothing. Members lapsed into a lethargy, with the idea that the immediate danger had passed and that they could safely wait for the premonitions of another crisis.

It is all very well for us to sit here and hang back with the idea that our troubles are over, that business has resumed its full activities, and that prosperity is again in full swing. I tell you, Mr. Chairman, that our troubles are not over, business has not resumed its full activities, and prosperity is still an ignis fatuus.

Financial legislation has always been a dry subject for the average legislator. He has been willing that some one should do his thinking for him, and because those members of the authorized and constituted committee have differed so widely in their views it has left him in a very unsettled frame of mind, and on this account Members of Congress have come to distrust themselves upon the subject of currency legislation.

True it was that some of us foresaw what was likely to happen, and began to prepare for the worst. If we could not reach an agreement upon some affirmative measure, why, then we should have a general commission appointed to take up the subject.

I, myself, introduced a bill "to create a currency commission." It was carefully drawn. It had the approval of the Secretary of the Treasury and many Members of the Senate and House. The committee gave me the honor of a hearing upon the bill, which resulted in laying my bill upon the table. I was told that the committee was competent to prepare a currency bill, and would report one to the House that would meet every emergency before the close of the session.

Mr. FOWLER. Will the gentleman allow me to ask him a question?

Mr. LOVERING. Certainly.

Mr. FOWLER. Did not the committee do that very thing and on the 29th day of February make a report to this House?

Mr. LOVERING. On what?

Mr. FOWLER. On a banking and currency bill.

Mr. LOVERING. I spoke of a commission.

Mr. FOWLER. No, no; you said that they thought they could prepare a bill.

Mr. LOVERING. If the gentleman will wait, he will see that I have referred to that point and that I recognize that fact.

As I said at the hearing, I hoped they would do this, and if they did present such a bill as was satisfactory, I would gladly support it. I did not complain that the bill for a commission was tabled, for I thought it no more than fair that the committee should have every opportunity to perfect their own bill.

And still the time went on and no agreement was reached, and now the chairman of the committee has come round to the idea of a commission, though to my mind too large and too unwieldy to be practicable. If it had been designed to make it abortive and futile, it could not have been better conceived.

Meantime the Senate passed and sent over to the House the Aldrich bill, as a purely emergency measure, recognizing the fact that if a radically new financial system was to be adopted it would take time, and that work should be committed to a commission. As the Aldrich bill finally passed the Senate it was obviously in such shape that it could not pass this House without material amendments. I could not vote for it as it was. I would have been glad to have seen it amended, and would have voted for it, but I understand that the Committee on Banking and Currency has tabled it without any attempt to alter or amend it.

And now comes the Vreeland bill, which retains the best features of the Aldrich bill and extends the basis for currency circulation to commercial credits, in the shape of commercial paper, and I stand ready to support it as an emergency measure, still holding to the necessity of passing a currency commission bill.

Now, Mr. Chairman, I think I look at this question from a practical business standpoint; at least, I am trying to. With me it is a live question and a serious matter which concerns my personal business interests. It is no academic question with me. What do I see? More than 20,000 workmen in the employ of concerns in the management of which I and my family are interested working short time and some at reduced wages. It is of vital importance to us all that we should resume work full time at the earliest moment. This can not be until trade improves. Half a business always means a loss to every industry doing a half business in the country. You can not make a profit in running any concern half time, I do not care what it is.

Trade will not revive until confidence is restored. Confidence will not be restored until we have the assurance that no such crisis and panic as we saw last fall shall recur, and we can have no such assurance until we have written on the statute book some such law as the Vreeland or Aldrich bill to stand as a barrier between us and a panic.

It is amusing to hear the charge made that a panic is either a Democratic or a Republican panic. Crises may be the result of party action, and they may not, but panics will come as long as bad men are treacherous, as long as good men are timid, and as long as fools are reckless. A panic is an unreasoning animal instinct. Self-preservation is the first law of nature in man or beast. What so surely can prevent or allay a panic among people escaping from a burning building as the knowledge that there are ample and varied exits for escape? What so surely can allay a currency panic as the knowledge that an adequate supply of currency can be had whenever and wherever needed?

The other escape from the building may never be used, the other supply of currency may never be tapped. What would you say if you were down in a mine and there was but one exit of escape. You yourself, everyone of us, would be subject to panic, but if we knew there were other outlets, although they might not have been in use for years, it would at once set us at rest, it would at once allay the panic.

One word on the size of the commission proposed. Is it reasonable to expect that so large a commission as forty-three, drawn from all over the United States, can be got together and held for five or six months to attend to its appointed duties? If twenty-one men outside of Congress can be found who are big enough and capable enough to serve on such a commission, they would be likely to have such important interests of their own as to make it impossible for them to attend. A report and bill from such a currency commission, to have any weight with Congress, should be a unanimous measure.

I can not help feeling that there is a great deal more apprehension in the public mind on the subject of financial legislation than there need be. I do not believe that there is one, and only one, practicable workable plan that is possible. Indeed, I believe there are many plans that would be successfully operative either one of which might answer equally well every public need.

On the other hand, I do not believe that any financial scheme could be adopted in which some one could not pick flaws, and perhaps, to their own satisfaction, demolish. It all depends upon whether it was for their interest to pervert the use of a system to unlawful purposes.

The world has moved on since the days of Hamilton, and it is doubtful whether if he were with us to-day he could devise a scheme of finance that would close every door to modern cupidity. Conditions with which we have to deal are totally different from those presented to him. Men were not then the lawbreakers that they are to-day. Whether it was that they were better than they are now, or whether it was that they had

not learned how to strain and break the laws, as we do, it matters not. This we do know, that no sooner is a law made to-day than the best legal talent in the country is employed to find some way to evade it, or to find a way over, through, or under it. In fact, the best paid lawyers to-day are those who can do what the late Sydney Bartlett said his client wanted him to do. He said:

You want me to show you how to do an illegal thing in a legal way.

No sooner is a currency bill brought out than every banker takes his pencil and figures out how much extra money his bank is going to make under it. Yes; and if he finds that he is going to make a small amount, and that some other banker in some other section of the country is going to make more than he can make, why, then, that is a sufficient reason why he should condemn it, forgetting that the public needs are to be met, forgetting that his bank will profit by the facilities the public will derive from the increased issue of circulation, even though it be taken out by some other bank.

We have listened to several Members of the House upon finance, but, with the exception of Mr. FOWLER and Mr. WILLIAMS, we have had no affirmative propositions for currency reform.

We have listened in rapt attention to the very able and instructive essay of the gentleman from Ohio [Mr. BURTON] on "Financial crises," but we listened in vain for any plan to guide us out of the wilderness of our perplexities.

We listened to two very able speeches of the gentleman from Connecticut [Mr. HILL], and while they were overflowing with prophecies of dire misfortune if we adopted any of the measures proposed, yet he failed to indicate by a single word what should be done. Not a single constructive proposition did he suggest or advocate. He was forceful in his condemnation of every proposition that had been submitted to this House, with the exception of a commission. I do not propose to criticize these gentlemen beyond calling attention to the fact that from men so well informed as they are we had a right to expect some proposition of an affirmative and constructive character.

I do not propose to criticize them, because I myself am disposed to leave the permanent reorganization of our financial system to a commission; but I do feel that some effective emergency measure should be adopted at this session of Congress.

I did not vote for four battle ships, because I do not believe there is any danger of a war; but I do believe there may be a panic, and, at all events, I would have at least one good financial battle ship in the shape of an emergency measure such as is proposed in the Vreeland bill. I shall, therefore, vote for this bill, and earnestly hope it may be adopted by this House. [Applause.]

Mr. SMITH of Iowa. Mr. Chairman, did the gentleman from Massachusetts exhaust all of his twenty minutes?

The CHAIRMAN. The time of the gentleman has expired. Mr. SMITH of Iowa. Will the gentleman from New York exhaust a portion of his time?

Mr. FITZGERALD. Mr. Chairman, I yield thirty minutes to the gentleman from New Jersey [Mr. LEAKE].

Mr. LEAKE. Mr. Chairman, there is a great discontent abroad in the land. It is not alone the discontent of disappointed men who have failed in their ambitions, but the complaint of our people that success in America is based upon dishonesty, unfairness, and special favoritism.

Have the American ideals of liberty and equality been limited only to religion, education, and political rights? Will the ideals be applied to industrial conditions? These are the questions uppermost in the minds of the American people. At the end of a period of unparalleled wealth we are confronted with extraordinary revelations of dishonesty in corporate management of railroads, banks, and industrial institutions, and with the profligate use of this quickly acquired and ill-gotten gain. Organized favoritism has been manifested in our legislation. Tariffs for protection have become tariffs for speculation. The maintenance of these privileges by enormous contributions to political campaign funds have all added to the distrust and created a hostility to all wealth and all enterprise.

Men generally agree upon the evils, but differ greatly as to the remedies.

The political parties are hopelessly divided. In the Republican party there are those who wish to continue the conditions which they have produced—all except the panic. These reactionaries are the leaders of that party. The boss system of legislation in this House is the product of their minds. They have made it a farce to speak of this body as representative. Notwithstanding this body is filled with right-minded, liberty-loving, and honest men, it is not representative of the people,

but of the political party in control. That party to-day is an organized hypocrisy. Legislation is fixed up in the kitchen cabinet of the Committee on Rules. [Applause on the Democratic side.] Occasionally a pot of DALZELL's soup is brought here with directions from his committee to "add twenty minutes of hot air and serve." [Applause on the Democratic side.] When the cook discovered that there were two independent boarders on the Republican side of the House who desired to join with the Democratic Members and taste some of the Grand Old Party concoctions before feeding them to their constituents, the Committee on Rules adopted the method of canning our legislation. Nothing is visible but the label. [Applause on the Democratic side.] If in a can of public buildings you have managed to grant away valuable property of the Government to a real estate speculator of Washington, it would not surprise me to awaken some morning and discover that in the lack of consideration, the absence of debate, the bringing up of bills without notice, we had disposed of the Washington Monument for macadamizing the streets to the Union Station. [Applause on the Democratic side.] No wonder the Members of the majority are objecting to roll call and being compelled to go upon record on legislation of which they know but little more than the title. The only safe rule for a Member of this House to follow is to vote against everything which has the approval of the Committee on Rules.

You have said several times that the Republican party will accept responsibility for legislation in this House. You know that you have never accepted responsibility. You refuse responsibility even for the present panic, notwithstanding you have been flaying this side of the House for the past fifteen years for similar conditions formerly existing. You know that you have always dodged responsibility and have never yet experienced the delight to the soul which comes from an honest confession. [Applause on the Democratic side.]

The other day you brought in a bill which disclosed one of the family skeletons of your party. For the first time during this session the gentleman from Pennsylvania lost his nerve. Confronted with this ghost of the past he evaded the responsibility and imposed upon the gentleman from Wyoming the duty of bringing in the rule in the Oregon and California Railroad bill. [Applause on the Democratic side.] The gentleman from Pennsylvania is too good a historian to have forgotten the guilty creature of his own State known as the "Credit Mobilier," the scandal of the Vice-President, the Speaker, the whole Republican party, during the term of General Grant, and the gift of millions of acres of the public lands with large subsidies to the Pacific railroads. Is it possible that you have forgotten the inglorious expulsion which your party received from an outraged people? Have you forgotten that the grant of 3,000,000 acres of land to Mr. Harriman's railroad, the Oregon and California, was made at this time of perfidy in the history of your party? You will recall that the land was given to the railroad upon a solemn trust that it should be sold to actual settlers only at \$2.50 per acre in tracts of not more than 160 acres to any individual. Any competent employee of the Government charged with the responsibility for drawing the patent deeds would have inserted therein a recital of the restriction, so that all persons who purchased from the railroad company would have notice of the rights of the United States.

I do not believe you will even accept the responsibility for this unusual neglect of your Land Department and its failure to insert any reference to the restriction whatsoever in patents granted by the Government to the railroad company since 1896. It certainly paid the Harriman road to have its proprietor known as "my dear Harriman" in the councils of the Republican party. [Applause on the Democratic side.] He now has 2,000,000 acres of the public domain, worth about \$16,000,000, and in all probability beyond the reach of the Government. If any chance existed for the Government to get back this public domain, your Speaker was prepared to have you authorize an amendment which would have extinguished altogether the rights of the Government. [Renewed applause on the Democratic side.] If you will accept the responsibility for legislation here, I would like to know on what theory only bad amendments may be introduced to pending bills. My people, too, would like to know why a Harriman amendment is given preference to one which their Representative may desire to offer in their interest.

What a political millennium you would enjoy if you could continue this combination of the policies of the reactionaries and the stand-patters and their useful campaign funds, with the popularity of Theodore Roosevelt. What a joy there is in the thought! It will perpetuate the Republican party in power forever. It will necessitate, however, a change in your emblem from an elephant to a dog—that kind of a dog which barks and

wags its tail at the same time, so that no one is able to know which end to believe. [Applause and laughter on the Democratic side.]

There is a day of reckoning coming for all this deception. The people have long ago made it unpopular to be a reactionary, and they are beginning to undeceive themselves about the President. I was one of the first of his Democratic admirers. His motives are known to be good. There is a power about the man which no one can overlook. His ambition extends to the ends of the earth, and the end of his energy is nowhere in sight. People from all walks of life have turned to him with their grievances. Citizens who have been knocking in vain at the doors of Congress and State legislatures for remedial legislation have turned to him in despair. He occupies to-day a position more similar to that of a monarch than that of an executive. The people are his people, and he is responsible for their domestic and commercial happiness and well-being. He is so firmly convinced that he alone can deliver the suffering hosts that he proposes to perpetuate himself in office by proxy. He has more than enough ability, but he lacks what is most needed in this new land—dignity, poise, and a respect for the few traditions of our land. [Applause on the Democratic side.] The founders of the Government were mistaken in their theories, according to the Roosevelt policy. The Constitution is a broken-down hobbyhorse, and the Supreme Court decisions should be written on White House stationery.

All this distrust, unrest, and discontent become mighty weapons in the hands of the demagogue. The man who uses the dishonesty of individuals, the injustice of industrial conditions to work upon the prejudices of the people, and to array one class against another, whether in a patriotic desire to serve his countrymen or for the purpose of drawing to himself a large following of personal admirers is the most undesirable citizen in the community.

The man who, in a misdirected effort to punish an evildoer, visits the vengeance of the law upon the great mass of innocent victims is the foe of progress. The Roosevelt policies are based upon the inherent dishonesty of mankind. They are absolutely false, and they are applied in a most dangerous and unfortunate manner. They overlook the principal causes of our evils—administrative and legislative inefficiency; and they seek to divert a righteous condemnation of Republican administration by the American people. They are about as useful as the substitution of unbuckling the crupper for the unchecking of a thirsty horse. In the first place the people need a rest, and when they have recovered from this Republican panic they need more home rule and less Roosevelt domination. [Renewed applause on the Democratic side.] They need more of the Democratic principle of exact justice to all men and less Republican favoritism. They need the substitution of law for Roosevelt discretion. They need the emancipation of the House of Representatives. Drive the boss system from this House or you will have socialism. Give the people full representation in one branch of your Government or they will certainly lose respect for and they may overthrow all. [Loud applause on the Democratic side.]

I yield back the balance of my time to the gentleman from New York [Mr. FITZGERALD].

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose, and the Speaker having resumed the chair, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. LATTA, one of his secretaries.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. FITZGERALD. How much time has the gentleman consumed?

The CHAIRMAN. The gentleman has consumed fifteen minutes.

Mr. SMITH of Iowa. I wish the gentleman from New York [Mr. FITZGERALD] would consume fifteen minutes more.

Mr. FITZGERALD. Mr. Chairman, I yield ten minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Chairman, I have been a very earnest observer of the proceedings in this House for the last several weeks, and I have reached the conclusion that there is no mistake being made on this side of the Chamber in following the splendid lead of the gentleman from Mississippi [Mr. WILLIAMS]. [Applause on the Democratic side.] It is a fact that must be recognized by all of us that the time had been reached when a great many people failed to distinguish any difference between the Republican and the Democratic party. But these so-called "filibustering tactics" have served to emphasize the fact that there is an immense difference between the policies advocated by gentlemen upon that side of the Chamber and

those upon this side. It has been somewhat amusing to me to observe the attitude of gentlemen upon that side in answering the demands of the country, especially in the demand for the placing upon the free list of wood pulp and print paper. I presume that at least 90 per cent of gentlemen upon that side, if compelled to vote upon that proposition, will vote in the affirmative.

I see by the papers some statement to the effect that there is now almost ready to break out on that side a complete rebellion against the Speaker and the leaders on that side of the Chamber. It is my judgment that the only consistent men on the Republican side of this Congress upon that proposition are the Speaker, the gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from New York [Mr. PAYNE]. They are stand-patters, first, last, and all the time, and as the result of that fact they have the courage of their convictions, and they are determined not to permit this House to vote upon that proposition if it can be prevented. When the Speaker goes back to Vermillion County, Ill., and meets some old farmer after you have taken wood pulp and placed it upon the free list, the Speaker can say to him, "I was opposed to that proposition," when this same farmer will demand of him to know why the House took the tariff off of wood pulp and refused to take it off of agricultural implements.

But how about some of you gentlemen who would vote to take wood pulp and place it upon the free list, and yet do not demand that agricultural implements and other necessities of life be also placed on the free list? When you meet an old farmer and he says, "I see by your vote that you have voted to place wood pulp and print paper upon the free list, and yet I went down to town to-day and purchased a plow which cost me \$20, and \$4 of that \$20 represents the tariff upon that plow. If it were not for this high protective tariff, I could have purchased the same plow for \$16." How can you look that old farmer straight in the face and explain your position in taking wood pulp and placing it upon the free list, and yet doing nothing to relieve the burdens placed upon him?

On the other hand, we upon this side, speaking for myself especially, can consistently vote to place wood pulp upon the free list. Why? Because I do it from principle. I believe that all the things that enter into the necessities of life should be placed upon the free list, and the duties materially reduced upon many other things. To be perfectly frank and candid, however, I will say this, that if I could have my way about it, I would only make that law, when it is passed, applicable to Democratic papers and other papers which have consistently advocated tariff reductions all along the line. [Applause on the Democratic side.] I would be in favor of making it even higher upon the papers that have inconsistently, in season and out of season, told the American people that they are only made prosperous and happy by a high protective tariff which taxes everything on earth that they are compelled to use. But inasmuch as that can not be done, I would, of course, move to put wood pulp and print paper upon the free list and let all the papers in the country receive the benefit from it. But I do not know that the position occupied by gentlemen upon that side upon any of these propositions makes a great deal of difference. I think you realize that your lease of power in this nation is very nearly drawing to an end.

I believe that deep down in your hearts every one of you realizes that the next House will be Democratic, and that we will control legislation here. [Applause on the Democratic side.] I believe that many of you feel and realize that the next President of the United States will be a Democrat. Already I see advertised in the papers, some of them, through the current advertisements, where you are proposing now to dispose of the paraphernalia and other things that you have no use for when not in power, and you are preparing to vacate for the Democratic party. I want to read the notice which I received from a newspaper the other day. I do not know by whose authority it was inserted. It occurs under the usual heading:

PUBLIC SALE.

Great closing-out sale of the G. O. P.

Our lease with Uncle Sam having practically expired and having been notified to quit the business and retire to private life, we, the undersigned, will offer for public sale at our residence at the Capitol in Washington, D. C., commencing on November 4, 1908, the following described property, to wit:

One elephant, branded on side G. O. P., about 45 years old.
One financial panic, old enough to be weaned. Slired by Wall street and damned by everybody.

[Laughter on the Democratic side.]

One Republican platform, as good as new, but never used.

[Laughter.]

One big stick, slightly impaired by overwork.

One Republican machine, the same being somewhat out of repair.

One financial system, well supplied with clearing-house certificates and no cash.

Five million Teddy bears.

Old empty dinner pails, and other articles too numerous to mention.

[Renewed laughter.]

Everybody, regardless of party affiliations or previous political servitude, is invited to attend this sale. It is expected that most of the articles herein mentioned will be bid in by the stand-patters, but every thing will be on the square and all articles will be sold. There will be no by-bidders. Possession of property will be given March 4, 1909. Roast crow will be served on the ground free by the Young Men's Republican Club. The sale will positively take place on the date mentioned, regardless of weather.

G. O. P. MANAGERS.
Colonel ROCKEFELLOW,
Colonel MORGAN,
Colonel HARRIMAN.

Auctioneers.

JOHN R. WALSH, Clerk.

[Laughter.]

P. S.—If either or all of the auctioneers and the clerk are at the time restrained of their liberty by the court, others equally as good will be supplied on the day of the sale. Parties unable to attend the sale can send bids to either of the auctioneers, in care of the managers. All such bids will be treated strictly in accordance with the conscientious regard the G. O. P. always had for the dear people.—Stolen.

[Laughter and applause.]

So I presume from that that you are making preparations to vacate, and we serve notice now that we are all packed and ready to move in, and that after the 4th day of March, 1909, the people of this country will not have to petition, will not have to appeal in vain for legislation which they demand. We will take charge of the House and the Presidency, and you will find that the Democratic party will move on, the country will prosper, and that the panic will be eventually wiped out under our management. [Applause on the Democratic side.]

I yield back the remainder of my time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. OLCOTT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested: H. R. 20471. An act making appropriations for the naval service for the fiscal year ending June 30, 1909, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 902) authorizing certain extensions to be made of the lines of the Anacostia and Potomac River Railroad Company, the Washington Railway and Electric Company, the City and Suburban Railway of Washington, and the Capital Traction Company in the District of Columbia, and for other purposes, had further insisted upon its disagreement to the amendments, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. LONG, and Mr. MARTIN as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. SMITH of Iowa. I yield forty minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Chairman, I will not violate the rule that is generally practiced by undertaking to speak upon the appropriation bill. Before going to the particular subject I am going to confine myself to I want to say to my friends on the other side that I have had a great deal of comfort for 10 these many weeks over the boasting and happiness that they have been enjoying in respect to the coming election, with the idea they are to be brought into power. I only want to say now that when the next Congress meets I hope to be here to extend my sympathy to them. [Laughter and applause on the Republican side.]

Mr. Chairman, I will confine myself to the consideration of certain bills advertised as pension bills. My colleague [Mr. SHERWOOD] has chosen, under the pretense of advocating more liberal pension laws, to assail the Grand Army of the Republic, its commander in chief, Mr. Burton, and the National Tribune, a leading soldier paper published in Washington City and of wide circulation in this country. And he has also, in various ways, attacked the patriotism of this House and of individual Members thereof for not supporting his bills. And he has included in his attacks military Homes and their management. Neither the Grand Army of the Republic, nor its commander in chief, nor the Tribune or its editor, nor this House or its Members, nor these institutions need any defense at my hands against such attacks, but as certain bills, erroneously called "pension bills," are made the excuse for the unwarranted as-

saults, their true character should be stated. I shall speak plainly of them and of their deceptive and political character.

The attack on the Republican Members of the House for not supporting and passing his bills and the threatened consequences at the coming Presidential election for not doing so will be a sufficient excuse for my speaking of them without reserve and plainly of the methods adopted to secure their apparent approval from veteran soldiers of the civil war, not one of whom would approve either bill after knowing its true character. The procedure of my colleague in relation to his bills is, I believe, without precedent in Congressional history.

It is too late in the history of pension legislation to assail Congress or its Members or any party for lack of liberality in passing pension laws. My colleague's zeal in trying to aid the Democratic party on the verge of a Presidential campaign must have inspired him to introduce and exploit, through the press and by correspondence and by speeches here, to be sent out to the country, his bills as pension bills when they are not. They were evidently only introduced for political purposes and not for enactment into law.

They are without merit and will not have the approval of anybody who understands their real import and purpose. That there may be no mistake as to their character, I will refer to them somewhat in detail. They are not dissimilar. Neither is, nor purports by its title to be, a pension bill. Each undertakes only to create or enact a soldiers' roll. The first bill, H. R. 4038, introduced December 3, 1907, referred to the Committee on Military Affairs, is entitled:

A bill to authorize the creation of the volunteer service roll.

The other bill, H. R. 7625, introduced December 12, 1907, referred to the Committee on Invalid Pensions, is entitled:

A bill to authorize the enactment of a veteran volunteer roll.

Neither bill makes any provision for pensioning anybody. Both the bills, though separately, have been proclaimed and advertised by various ways and methods to the old soldiers as though bills to pension "all old veteran soldiers of the civil war at \$1 per day." We shall soon see that if each bill as drawn was enacted into law it would not pension anybody at any amount; and that the "volunteer service roll" mentioned in the former, and the "veteran volunteer roll" mentioned in the latter bill would result in having two invidious and shamefully unjust rolls from which would be excluded the larger part of the disabled, most worthy, and longest-serving veterans of the civil war, many of whom were wounded in battle and served with credit much longer in the battle front than most of those who would be eligible to be entered on either roll. No veteran soldier of the Regular Army, nor of any other than the civil war, nor any sailor or marine of any war is to become eligible to either roll.

The author of the bills, in his recent speech here (February 26, 1908), described himself as a "plain, blunt old soldier" who appears "to speak a few words for 175,000 veterans of the civil war" in favor of his bills, "giving to every veteran who served eighteen months at the front \$1 per day." What of the 633,339 disabled veterans of the civil war now drawing a pension for disability? We shall soon see how absolutely misleading this statement is. I quote further from his speech:

This movement is the most formidable movement among veterans since the close of the war. There never has been any movement like it. It is a spontaneous movement of the old soldiers without any organization whatever. This is the only measure that takes care of the veteran soldiers. All other bills that have been enacted by Congress were passed through committees appointed by the Grand Army of the Republic operating through committees of Congress. This bill is not a political pension bill. It is a bill that recognizes only service and merit.

He then follows with an attack upon the Grand Army of the Republic for having a salutary order that requires Grand Army of the Republic posts (not members) when acting as such to have—

Petitions, memorials, and resolutions by posts in regard to pension legislation forwarded to national headquarters through the department headquarters, and that posts be forbidden to make separate and independent application to Congress for legislation upon the subject of pensions.

This order is in pursuance of a resolution first adopted in 1884, and repeatedly since by the National Encampment of the Grand Army of the Republic, and published in the usual way in general orders of the commander in chief, as often before, without regard to my colleague's pretended pension bills, and without any knowledge of them or of their misleading character. The purpose of the attacks seems to be to try to demonstrate that the Grand Army of the Republic and its pension committees and friends have not the old veteran soldiers' interests at heart—that only my colleague champions their rights.

Then the National Tribune is assailed for recently printing this order, and the present commander in chief of the Grand

Army of the Republic is viciously attacked because, as is assumed, he does not support the "dollar-a-day pension bill," and because (as the speech alleges) he "should have allowed the 'old boys of '61 to '65' the right of direct petition, at least." Neither he nor the order denies the "old boys" the right of direct petition. Then, in contradiction of his declaration, that the approval of one of his bills "is a spontaneous movement," and after declaring other things not justified by the facts, the speech continues:

I have labored side by side for the past six months with these old veterans * * * to create patriotic sentiment for this bill. And now, when it has already received favorable consideration by a majority vote of the Military Affairs Committee of the House of Representatives, to have this high official, who, above all others, should stand for justice and equity for these brave and constant soldiers, attempt to cripple our efforts for relief, has overwhelmed me with disappointment. And if this great measure of grateful succor to the comrades is killed in this Congress the old veterans will know where to fix a part, at least, of the responsibility.

The last clause of this quotation shows the real purpose for which the bills were introduced—that is, solely a political one.

The author of the bill in his speech further states "that this bill can be passed by this Congress without taking a single dollar of money out of the United States Treasury, simply by reducing the appropriations for the Army," and by mustering out the larger part thereof; that the bill "will only take about \$17,500,000 the first year," and by "stopping the construction of two more of the useless battle ships that are to cost \$20,000,000;" "by reducing the large appropriation for a standing army to maintain a government of force in the Philippine Islands;" "by reducing the enormous appropriations for continuing the work on the Panama Canal, a project (he says) now liable to prove the most expensive failure in all the centuries, * * * pronounced impracticable by the most capable engineers of England, France, Germany, and the United States." None of these statements are warranted by the facts.

He then refers to petitions and letters (quoting some of them) from veterans, and perhaps others, favoring the passage of the bills as though they were pension bills. The true character of neither bill is stated or explained in the speeches or in interviews or in the petition headings, or in any literature sent to the old soldiers, or to Grand Army of the Republic posts, or to the country; hence the numerous petitions, resolutions, and memorials so much boasted of here. Looking to letters and petitions my colleague presents here, we learn that the old veterans who signed them were led to believe that the bills propose "to give all the old veterans of the civil war \$1 per day." The petitions presented by him generally show this. This mistaken notion is variously promulgated. I quote from his recent speech:

I have before me some of the petitions I have received from these old soldiers in favor of the bill that I had the honor to introduce, giving to every veteran who served eighteen months at the front \$1 per day.

No such bill has been introduced by him.

There are other things of like tenor stated in this speech, which concludes with the now usual threat that the Democratic party will afflict the country by electing Bryan President of the United States this year. My colleague says this result is to follow because the Republican Members of this Congress will not pass his bills.

I may say in passing that Mr. Bryan's latest utterances (March 5, 1908) on pensions appears in the Nebraska Democratic platform, said to be written by him, which declares that his party favors pensioning "the surviving veterans and their dependents, because it relieves the country of the necessity of maintaining a large standing army." This is pure slander.

Mr. SHERWOOD. Will the gentleman submit to a question?

Mr. KEIFER. What is your question?

Mr. SHERWOOD. I would like you to point out in my speech on pensions where I referred to Bryan at all.

Mr. KEIFER. I will ask the gentleman to read his own speech in the RECORD, and I will furnish him with a copy.

Mr. SHERWOOD. Bryan's name is not mentioned in that speech.

Mr. KEIFER. I will give the gentleman a copy of his speech and I will ask him to read it.

Mr. SHERWOOD. The gentleman misrepresents me entirely; it is not the speech at all.

Mr. KEIFER. Now, the Chairman must protect me against the gentleman.

The CHAIRMAN (Mr. BUTLER). The gentleman will have to protect himself; the Chair can not make the other gentleman from Ohio hear.

Mr. SHERWOOD. I want you to tell the truth.

Mr. KEIFER. The gentleman had his day, and does not even know his own speech.

Mr. SHERWOOD. I challenge the gentleman to show a sentence in that speech in which I abused any gentleman of this House. It is not true.

Mr. KEIFER. The gentleman has had his day, and has misrepresented Members and his comrades.

Mr. SHERWOOD. I will take care of my comrades all right. [Applause on the Democratic side.] I challenge the gentleman to produce a single sentence in my speech in which I attack a single Member of this House. The gentleman can not do it, and I challenge the gentleman to do it. He can not do it, and I will furnish him with a copy of my speech.

The CHAIRMAN. The gentleman from Ohio is out of order.

Mr. KEIFER. The inference to be drawn from this reason for pensioning veterans is that they were, and our citizens are hereafter, to be moved to go to war by the promise, or the hope, of pensions, and that the patriotism of the American citizen-soldier depends on the amount of pension he is paid or promised, even though his country's call is to preserve the Union, to perpetuate liberty and to transmit it to posterity.

To show how shamefully petitioners have been imposed on as to the character of the bills, I quote some sample headings of petitions presented and referred by my colleague to committees of this House:

We, the undersigned Union soldiers, sailors, and marines of the war of 1861 to 1865, respectfully request you to use your influence and assist in the passage of the bill introduced by Hon. ISAAC R. SHERWOOD, providing for the payment of \$1 per day to all soldiers, sailors, and marines.

It will be kept in mind that neither of his bills provides "for the payment of \$1 per day to all soldiers," or any pension to any soldier; and sailors or marines are not mentioned.

Another heading:

We, the undersigned residents of Ohio, hereby petition your honorable body to pass the bill known as the "Isaac R. Sherwood bill," to give all veteran soldiers who served in the war a pension of \$1 per day.

Neither bill pretends to put "all veteran soldiers who served in the war" even on a roll, nor to pension any of them if on the roll either bill would create.

I quote another heading of like misleading character:

We, the undersigned veteran soldiers, believing the pension bill known as the "Sherwood bill," giving to all veteran soldiers \$1 per day, to be a just and meritorious bill, assure you that we would greatly appreciate it if you would use your best efforts for the passage of said bill.

So of another:

We, the surviving veterans of the war of 1861 to 1865, do humbly petition your honor to use your influence to secure the passage of the bill entitling the old soldiers of the war of 1861 to 1865 a pension of \$1 per day. The bill is known as the "Sherwood pension bill."

Here is another heading:

We, the undersigned soldiers of the civil war, earnestly solicit your support in the passage of what is known as the "Sherwood bill," now before Congress, which provides for a pension of \$1 per day for all soldiers who served eighteen months or over.

These headings say nothing about all veterans being excluded from the rolls who had not "served with credit" or "not less than eighteen months in the field with troops," or had been in the Regular Army, or commissioned officers. And they rarely disclose that all soldiers of the Mexican war, the Spanish war, the Philippine war, and of all Indian wars, and all sailors and marines of the civil war and of all other wars are excluded, nor do they advise the old soldiers, sailors, or marines who signed the petitions that in ascertaining the required eighteen months' service "in the field with troops" that time spent in instruction and reserve camps, in forts or other defenses, or on guard duty in the rear, in the Veteran Reserve Corps, in hospitals or elsewhere, and on furlough, and so forth, must be excluded in calculating the eighteen months' time limit, and it does not state that the soldier must serve this period "in the field with troops," and so forth.

I quote also the heading of a petition signed at the Minnesota State Soldiers' Home:

We, the undersigned veterans of the civil war and now inmates of the Minnesota State Soldiers' Home, humbly petition you as our Representative in Congress to support the bill introduced by General SHERWOOD authorizing the payment of \$1 per day to all veterans who served in the Union Army and were honorably discharged therefrom.

This one shows the signers understood there was a bill to provide for "the payment of \$1 a day to all veterans who served in the Union Army and were honorably discharged" without regard to time of service. It is needless to say that no such bill has been introduced here. Those who signed this petition were led to believe, as in other cases, that service of any kind and for any time, with an honorable discharge, was all that was required to get a dollar a day pension.

I quote still another petition heading:

We, the undersigned old soldiers of the civil war, hereby petition you most earnestly to pass the Sherwood bill, now before Congress, allowing all soldiers \$1 per day during the term of service for the preservation of the Union.

This indicates that there is a Sherwood bill, not to pay an annual pension, but to pay "all old soldiers \$1 per day during the term of service" in the Union Army. There is no such bill as this pending here.

Petitions with these and other misleading headings are presented here by my colleague as though they supported his bills. Singularly enough, the petitions do not refer to a "volunteer service roll" or a "veteran volunteer roll" as being included in the objects of the bills. There may be possible exceptions to this. But any kind of petition is good enough to forward the scheme. Nor is any reference made at all in my colleague's speeches to any sort of a roll. They create the erroneous impression that they were only bills to pension all veterans at \$1 a day.

In his last speech he says all "Democratic Members are anxious" to vote for his bill. I do not believe they are anxious to promote his mock legislation—at least no Republican will. A number of papers denominated by him "petitions" were recently (April 2) filed and again (April 3) refiled here, as though different ones. They were first filed by the Clerk, as the RECORD shows, as "Petitions for enactment of H. R. 7625, a bill to authorize enactment of a veteran volunteer roll." Scarcely a petition refers to such a roll, or to any provision of either bill. On refiling the same papers my colleague entitled them—in his own words—as "Petitions in favor of H. R. 7625, known as the 'Sherwood bill,' to authorize the enactment of a veteran volunteer roll, at the rate of \$1 per day."

Why this? What a curiosity! "A roll at the rate of \$1 per day." Not one of the petitions are for any such nondescript roll, nor is the bill. This refiling is the first we hear of "a roll at the rate of \$1 per day." He did not describe the petitions as favoring a pension bill, though substantially all of them are for a \$1 a day pension.

A few sample headings of the petitions last filed must suffice for all:

DENVER, COLO., ETC.

To the honorable Members of the House and Senate.

GENTLEMEN: We, the undersigned citizens of Colorado, respectfully request the Members of the House and Senate to support the Sherwood pension bill, which proposes to pay the soldiers and sailors of the war of 1861 to 1865 the sum of \$1 per day.

Respectfully submitted,

HENRY A. BUCHEL, Governor of Colorado.
(And others.)

Another:

STOUTLAND, ME.

We, the undersigned soldiers, marines, and citizens, hereby petition your honorable body to pass the Sherwood bill, which allows each veteran \$1 per day as a pension.

Still another:

AUSTIN, TEX.

To the honorable Speaker and Members of the House of Representatives, Washington, D. C.

GENTLEMEN: We, the undersigned ex-Federal soldiers, who are now citizens of Texas, very respectfully petition you to pass the Gen. I. R. Sherwood bill, giving all ex-Union veterans of the civil war \$1 per day pension.

And another:

A PETITION OF SOLDIERS OF THE WAR OF THE REBELLION.

To the honorable Senators and House of Representatives in Congress assembled:

We, the undersigned citizens of Mississippi County, Mo., and soldiers in the United States Army in the war of the rebellion, do respectfully petition that you will enact into a law General SHERWOOD's bill, pensioning the United States soldiers of the rebellion at \$1 a day.

Somebody was highly successful in deceiving the governor of Colorado and others of his State, the civil-war veterans of Maine, Texas, and Missouri. So others of other parts. If the Sherwood bill should become a law how they would be disappointed to find nobody was pensioned. The marines of Maine who petitioned for the passage of the bill would cry aloud in their wrath.

My colleague says, as we have seen, there is a "spontaneous movement" in favor of his bills. Here is a sample of the spontaneity:

Hon. ISAAC R. SHERWOOD:

In accordance with your request to Thomas Grabey, Soldiers' Home, Michigan, we send you the following list of soldiers who have served over two years, to aid you in presenting your bill before Congress to allow them a pension of \$1 per day.

HENRY P. ADAMS.

How Henry P. Adams became attacked with a "spontaneous movement" is thus made clear. Others were likewise similarly attacked. And lists thus obtained answer in many cases for petitions.

Anything goes for a Sherwood bill.

One paper, filed and refiled as a petition for the passage of his bill, consists of a letter to him, dated November 19, 1907 (before either bill was introduced), from the editor of the Union News, Barnesville, Ga. This letter is quite as relevant as

the other petitions. It favors "giving back to the South the \$50,000,000 which is known as the 'cotton tax' collected from the Southern States." Among the papers so filed and refiled there are large quantities of such irrelevant matter.

Some of the most important petitions named in the RECORD as filed by him can not be found, notably those from Dayton, Ohio, and Leavenworth, Kans., purporting to be signed by veteran inmates of the National Home for Volunteer Disabled Soldiers and its Branches located at these places. Others from other Branches of this Home do not correspond with anything on file, namely: Marion, Ind.; Johnson City, Tenn.; Bath, Me., and so forth. How these veterans multiply on these mysterious petitions, or have the petitions been padded, if they exist at all?

The petition from the home at Dayton, with 4,178 veterans, purports by the RECORD to be signed by 6,000.

Mr. SHERWOOD. I never said anything of the kind.

Mr. KEIFER. You said it in the petitions you filed.

Mr. SHERWOOD. I did not. That is a mistake. I never filed anything of the kind.

Mr. KEIFER. You filed it in your own words. See the RECORD of April 3.

The CHAIRMAN. The gentleman from Ohio declines to yield to his colleague.

Mr. KEIFER. Another from Leavenworth, where they have 2,385 veterans, he says in his filed petitions was signed by 10,000 of them; from Marion, Ind., with 1,625 veterans, by 5,000; from Johnson City, Tenn., with 1,359 veterans, by 5,000; from Hampton, Va., with 2,275 veterans, by 3,300, and the one in Maine, with 1,821 veterans, by 5,000. There are other such exaggerations and discrepancies—to say nothing worse—between what is shown in the RECORD and the pretended petitions filed here. If any of you doubt this, turn to the RECORD of April 3 and you will see it in his own language.

Mr. SHERWOOD. That is not my mistake; that is a mistake of the printer.

Mr. KEIFER. No, sir; not a mistake of the printer.

Mr. SHERWOOD. If you will turn to the corrected report you will see it.

The CHAIRMAN. The gentleman has declined to yield.

Mr. SHERWOOD. I hope the gentleman does not want to misrepresent me.

Mr. KEIFER. Oh, no. Many petitions filed and refiled here were evidently signed on representations of the author that he had amended his original bill so as to include and pension all "enlisted volunteers in 1861, 1862, 1863, and 1864 and were later transferred to the Regular Army" and "to include all soldiers who enlisted as privates and were afterwards promoted to officers."

This I quote from an interview sent out by my colleague, found at the head of one of the petitions he filed. But no such amendment was made, and neither of his bills contains a provision to pension such volunteers. Such petitions were filed and refiled by him in support of H. R. 7625 as late as April 2 and 3. And still others were then filed and refiled, praying for the passage of that bill, reciting that it would pension every soldier and sailor of the civil war, the Mexican war, and the war of 1812—there is no pensioned soldier of the war of 1812 now living. Here is a sample petition of this class from Bury Hill, Ohio:

We, the undersigned soldiers and sailors of the civil war, do hereby heartily indorse the pension bill known as the "Sherwood bill," which allows \$365 per year to every honorably discharged soldier or sailor of the civil war, the Mexican war, and the war of 1812.

My colleague vigorously assailed in his January 29 speech the ninety and hundred day men and Congress for pensioning them for disabilities, and then refers most pathetically to the "Hovey Division"—"Morton Boys"—who joined Sherman's army "at the opening of the Atlanta campaign at the average age of about 19 years" * * * "who served until the close of the war," who are not pensionable under the McCumber age-pension act.

He pretends to have a bill for their relief and for other veterans of like age. If his statement is accurate, not one of them could even get on the soldiers' roll mentioned in his bills, to say nothing of being pensioned. They did not serve in the Army eighteen months. That campaign opened in May 1864, and the war closed about one year later, when they were, he says, mustered out. How these 1864 surviving veterans must have wept if they read the pathetic appeal in their behalf, and how they will exclaim when they find they are never even to enjoy the empty honor of being on a roll! A more stupendous imposition was never perpetrated on worthy men, but old soldiers are confiding.

Mr. SHERWOOD. Will the gentleman allow an interruption?

Mr. KEIFER. Well, if you can confine yourself to a single question.

Mr. SHERWOOD. I think I am capable of as much thinking as you are.

Mr. KEIFER. Very well; I will not yield, if the gentleman is going to undertake to dictate to me. He has no time now.

Mr. SHERWOOD. You hold me responsible for the petitions of soldiers.

Mr. KEIFER. Petitions that you file as your own, in support of your own bills.

Mr. SHERWOOD. Your arraignment now is against the soldiers.

Mr. KEIFER. No; you are attempting to mislead them, if you want to know it exactly.

Not a petition supports either bill or favors a mere soldier's roll. All that is provided for in each bill. Every petitioner seems to have become such under a mistake as to the purpose for which the bills were introduced. The petitions do not favor any bill and should not have been filed.

I repeat that, so far as I can discover, not one of the petitioners favors or is ever likely to favor either bill. And it seems certain that no petition or memorial filed by my colleague was ever intended to favor a bill merely to create a roll.

This summary of the bills, the speeches of their author, and of the petitions gotten up under the guise of their approval and presented here by him I have made, so there can be no room for any doubt as to the character or the purpose of the bills. They are before the House, and Members can read and judge them for themselves.

I now propose to review their fake character as pension bills.

NOT PENSION BILLS.

One of the bills provides for an invidious "volunteer service roll" and the other provides for a like "veteran volunteer roll," and neither bill if, enacted into law without amendment, would provide, as already stated, a pension for any member of either "roll," or for any veteran, or for anybody. If a "roll" should ever be made up according to the provisions of either bill it should be styled "a roll to dishonor the great majority of the wounded, disabled, and worthy veteran soldiers and sailors of the civil war." All of the letters and petitions, as already appears, were signed on the mistaken belief that there was at least one bill which would give all veterans of the civil war a pension of \$1 a day during their natural lives. Nor would the proposed rolls include the one-fifth, as I will soon point out, of these veterans. The two bills were introduced in December last, nine days apart. The earlier one—H. R. 4038—was referred, as before stated, to the Committee on Military Affairs, and the later one—H. R. 7625—to the Committee on Invalid Pensions. The title of each indicates, as heretofore stated, its object, and while in the body of each bill (section 2) there is something about paying to "each of the class hereinafter described, when entered upon such 'roll,' money out of the Treasury of the United States, there is no class of any kind thereafter described to be entered "on such roll," or to be pensioned.

Section 1 of each bill describes one class to be entered on a "roll," while section 2 of each bill refers to each of two or more classes nowhere described. The substitution of the word *heretofore* for the word *hereinafter* would not make sense or transform the bills into pension bills. They are alike in this respect, and both must have been designedly so drawn. It will hardly, at this late date, be claimed they were both so drawn by mistake. Their author must have deliberately drawn them (one he caused to be reprinted in the RECORD January 29) and he used language to accomplish the political end sought; and he is supposed to have known their purpose before eulogizing them as pension bills in speeches here and through letters, interviews, etc., to the country, and before he presented, with a great flourish, petitions here favoring their passage as pension bills. There are provisions in the latter not found in the former bill, but the two agree in omitting to provide any class of veterans who are to take anything by any provision. The long time that has elapsed since the bills were introduced has been ample to discover and correct mere accidental errors in the use of language, and the failure of my colleague to point out in his speeches any error leaves us to conclude the language used is satisfactory. There are many things to suggest that the bills each express all that was intended. They have, so far, answered the purpose of exploiting for political purposes the matter of pensions for "all old veteran soldiers," though neither is a pension bill. In addition to not mentioning any class to become pensioners the bills are each unjust and invidious to the veteran soldiers and sailors.

Neither bill makes any distinction between soldiers disabled or incapacitated from earning a living and who still endure

constant suffering incident to faithful service and those who were more fortunate, save to exclude in ascertaining the eighteen months' limit such of them as were off duty while in the service recovering from injuries or illness, unless they were discharged for such disability. There were on February 1, 1908, on our pension rolls on account of disability 633,338 veterans of the civil war. The author says his bills are to provide for only 175,000 veteran soldiers. All soldiers of the Regular Army, of the Mexican war, the Spanish war, the Philippine war, the Indian wars, and others are excluded, it must be remembered.

The earlier bill proposes to create a "volunteer service roll" composed of civil war veterans who served "with credit as an enlisted man not less than eighteen months in the field with troops" "between July 15, 1861, and July 15, 1865." This bill cuts out, in counting the eighteen months, the time (three months) volunteer Union soldiers served under Lincoln's first call for troops (April 15, 1861), most of whom reenlisted before July 15, 1861, and served with honorable records. What is the matter with these worthy first volunteers to respond to their country's call that they are to be excluded from the proposed "volunteer service roll?"

But the bill includes in counting time of service "in the field with troops" those who remained after all field service had ended and the war was over, up to July 15, 1865. The older veteran is not to have his earliest service counted, because he responded too quickly to the call to arms when his country was in imminent peril, and those retained on guard duty or in camps after the Confederate armies had surrendered or were disbanded are to be given credit for service "in the field with troops." And all enlisted men discharged for any disability, however slight, would be entered on the "volunteer service roll" as if they had served a full term of eighteen months, although they only enlisted, as many did, for three months or other short term of service, and although they did not serve ten days, were not permanently disabled, and were never in battle. A temporary illness and discharge without any actual service would, in many cases, suffice to get on this roll, while the veterans of many battles, many of whom are decorated with honorable scars received in bloody combat, would be excluded unless discharged for disability contracted in the service, and also those who, however long they may have served, belonged to the Regular Army during or since the war, or became commissioned officers.

In many cases a soldier in the civil war performed more efficient service, enduring more hardships, privations, and suffering in a short period of service than did others in four years or more of service. No account is taken in either bill of hardships, privations, and sufferings endured, or even of disabilities by wounds or disease incurred in the service unless the disability, great or slight, resulted in a discharge from the service. The wounded and sick soldiers who recovered and returned to duty are to be excluded unless they served "in the field with troops" for full eighteen months, their absence, wounded or sick, deducted. And, under the bill, if an old veteran served three years or more in the volunteer army in the civil war and it happened that he was by special detail on duty, however important or dangerous, or on guard duty in the rear in forts or defenses or in reserve camps or was engaged in guarding supplies, trains, and so forth, or a railway station, depot of supplies, a city, and so forth, enough time to reduce his service "in the field with troops" below eighteen months, he would be ineligible for the "volunteer service roll." If he were of that unfortunate class who were wounded or otherwise disabled and transferred to the "Veteran Reserve Corps" instead of being mustered out before he had served eighteen months "in the field with troops" then he, too, would be, under the bill, dishonored and held not worthy to be on either roll, however long or well he may have served.

There were many thousands in the Union Army who, like those of the Veteran Reserve Corps, were not mustered out on account of the wounds they received or the disabilities they contracted, but at the ends of their terms of enlistment, or at the end of the war. Many were thus mustered out who served more than eighteen months, if time spent in hospital or elsewhere suffering from disease, or in the rear in camps, forts, defenses, or guard duty, and so forth, was counted. All these are to be excluded.

Unless discharged for disability both bills require the time an old veteran spent in hospital or elsewhere recovering from disease to be deducted from his total service, and if eighteen months do not remain, he will be regarded unworthy to be on any "roll." And H. R. 4038 requires all the time an old civil war soldier was captive and in prison to be deducted from his entire service to find out whether he served "in the field with troops" eighteen months. Thus, time spent in captivity and prison pens must count to dishonor him. (The other bill is

slightly different in this respect.) The roll would, if it reached 175,000, as my colleague states, be made up of many who, for want of opportunity or lateness of enlistment, were never in a campaign or a battle, and who did not meet the hardships and dangers of war. If an old soldier is alleged to have served without credit he would have to be acquitted of all infractions of duty or discipline before he could be placed on the roll, no matter how long or honorably he has served, and though honorably discharged.

This bill (H. R. 4038) is the one referred to the Committee on Military Affairs, and the one my colleague boasted in his speech here that it had "already received favorable consideration by a majority vote of" that committee. After this exultant boast I was inclined to think the members of that committee had not analyzed or intelligently understood the bill and had acted on the same, or similar, information that misled so many splendid and patriotic old veteran Union soldiers, but I was relieved of the necessity of taking this charitable view of the personnel of that great committee by the information that it never had favorably considered the bill at all, and that it was never likely to do so. My distinguished colleague was mistaken wholly in his statement. I presume he was misinformed or misunderstood the action of the committee.

Information comes that my colleague has represented his bill (H. R. 7625) stands "on a tie vote, 8 to 8" in the Invalid Pensions Committee. This, I am assured, is not the case.

Mr. SHERWOOD. I never made such a statement.

Mr. KEIFER. Will you allow me to read some of your letters?

Mr. SHERWOOD. Yes.

Mr. KEIFER. I will read them later, not in this speech. I have some of those letters. My colleague tells us "this bill is not a political pension bill." Granted—it is not a pension bill at all, nor is his other bill. It is a shallow sham, a mere pretense for one. I have yet to hear of any Member of this House who has read it, save, possibly, its author, who is willing to vote for it. I will not gain any honor by prophesying that he will disavow both bills and claim there ought to be another and different one. The bills, however, have served their original purpose; at least they have succeeded in misleading some of the worthy and honest old soldiers and sailors into the belief that an effort was being made to pension all of them at "a dollar a day" when no such thing was proposed.

My other colleague [Mr. ASHBROOK] seems also to have been shamefully and grossly deceived, as well as the old soldiers, as to the Sherwood bills. In a recent speech here (March 17) he inquires:

But why did Congress . . . remain indifferent to such meritorious bills as the Sherwood dollar-a-day bill?

I do not charge that his speech was solely for buncombe or for political purposes alone. It may have only been recklessly made. He ought, however, to advise the readers of his speech of his entire misinformation as to the bills he referred to and advise them that they were only mock pension bills.

The later bill (H. R. 7625), referred to the Committee on Invalid Pensions, was not offered as a substitute for the one I have just discussed, and which was said, erroneously however, to have been favorably considered by the Military Affairs Committee. It was obviously introduced to catch other and additional "old soldier veterans." Its title shows its real object was "to authorize the enactment of a veteran volunteer roll" different from that proposed to be created by the other bill, denominated a "volunteer service roll." If the two bills would pass we would have two rolls for a few of the veterans, but the large majority of the real and meritorious old field veteran Union soldiers of the civil war and all soldiers of other wars would be ineligible to either. The later bill, it must be borne in mind, like the earlier one, provides no class of soldiers to whom "\$1 a day" or any sum as pension is to be paid; and it differs from the earlier bill in only one or two particulars. It has about all the bad and objectionable features of the first one, and some more. It requires a veteran Union soldier, though honorably discharged, to have served "with credit" to be eligible at all to the "veteran volunteer roll."

And a volunteer Union soldier would be ineligible to either roll if he became a commissioned officer or "belongs or shall have belonged" at any time to the Regular Army, however valiant or long his service as an enlisted man has been, even though disabled while a private soldier in battle or by disease contracted in line of duty, and had served honorably "in the field with troops" more than eighteen months and had been discharged before enlisting in the Regular Army or before being commissioned.

What is the matter with the old veteran enlisted Regular soldiers, including the noncommissioned staff, who served "in the

field with troops" during the civil war, many of them over four years, and what of such soldiers who were in the volunteer service, many of them two, three, and four years "in the field with troops," who later enlisted in the Regular Army or received commissions, and who are not now in any army? There are thousands of each of these classes. Their honorable service, according to both bills, works their disgrace and disqualifies them from either roll, and from any pension should a pension ever be granted those on the rolls.

And the men who first enlisted late in and after 1863 under President Lincoln's calls (including substantially all colored veterans in the Union Army) could get on neither roll unless allowed to count time served after the war of the rebellion closed, when there was no more service "in the field with troops." November 1, 1863, to May 1, 1865, would be exactly eighteen months.

But under the last bill, H. R. 7625, "the surviving volunteer soldier * * * of the civil war," a candidate for the empty honor of being on a roll, is allowed to count in making up his eighteen months' time of service "in the field with troops" such time as he may have been in the Army after the war closed up to July 15, 1866, covering a period of more than fifteen months after Lee surrendered (April 9, 1865) at Appomattox, and almost that long after the war had ended. This extension of time of service "in the field with troops" was to throw a sop to a class of soldiers (not included in the first bill) who were, for some reason, retained in the service after the great body of the grand Union armies had been mustered out and the Confederate armies had surrendered or were disbanded and the war had ceased entirely.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Iowa. I yield to the gentleman from Ohio ten minutes more.

Mr. SHERWOOD. I should like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Ohio yield to his colleague?

Mr. SHERWOOD. Will the gentleman submit to a question?

Mr. KEIFER. Well, make it short.

Mr. SHERWOOD. You say that I have written a letter saying that—

Mr. KEIFER. I am not going into the letter question now, because that would lead to a scandal that I do not wish at all.

Mr. SHERWOOD. I want to say that I have written no such letter, and you can not produce it. I challenge the gentleman to do so.

Mr. KEIFER. I will show it to you as soon as I get through.

Mr. SHERWOOD. The gentleman can not do it. He is misstating my position. I have never written any such letter.

Mr. KEIFER. The gentleman can repeat his statement as often as he pleases, but he will find the substance of it in the papers he himself filed here, calling them petitions.

And all veteran sailors and marines, however long and gallant their service may have been, are wholly excluded from any roll or from any possible benefits. There were 21,944 civil war soldiers and marines pensioners on the rolls June 30, 1907, for disabilities, not one of whom would receive any benefits under the bill.

It is fair to conclude that not more than 100,000 of the 633,338 veteran soldiers of the civil war on our pension rolls February 1 last, drawing pensions on account of disabilities, would be eligible to either rolls, and the other 75,000 (if so many) my colleague states would get on the rolls would be made up of soldiers under no disability.

What a roll of honor we would have which excluded the long-time battlefield soldiers of the Regular service; all such soldiers who may have served in the Volunteer Army two, three, and four years before they enlisted in the Regular Army or became commissioned officers; all soldiers who, by reason of wounds received in battle or other disability contracted in the service, were transferred for duty to the Veteran Reserve Corps; all soldiers who had been on duty, however long, other than "in the field with troops," all soldiers who had been in camps of instruction or in prison so long as to prevent them from serving "in the field with troops" the required eighteen months; all soldiers who were mustered out at the end of their terms of enlistment or at the end of the war and not on account of disability who, on account of wounds or disease, were off duty at home or in hospitals so long as to prevent their serving "in the field with troops" eighteen months; all soldiers who were in the Quartermaster, Commissary, Engineers', Ordnance, or Medical departments, or in the Signal Corps, so much of their term of service as to reduce their actual service "in the field with troops" below eighteen months; all soldiers

who, having enlisted late in 1863, and were mustered out at the close of the war, before they had served "in the field with troops" eighteen months, though they campaigned and fought at Mine Run (November 27, 1863), the Wilderness, Spottsylvania (May, 1864), Cold Harbor and Gettysburg (June, 1864), at Opequon, Fishers Hill and Cedar Creek (September and October, 1864) under Sheridan and Wright; at Chickamauga (September, 1863), under Rosecrans and Thomas; at Missionary Ridge (November, 1863), under Grant and Thomas; in the Atlanta campaign and in the march to the sea, under Sherman, in the spring, summer, and autumn of 1864; at Bentonville (March, 1865), and under Thomas at Franklin and Nashville (1864), and under Grant, Meade, Sheridan, and others at Petersburg, Five Forks, Sailors Creek, in the final campaigns and battles in the spring of 1865, and so forth; and all soldiers, even though they served and fought in some or all of these and other campaigns and battles, though two, three, or four years in the service as enlisted men, had been in reserve camps, and so forth, of instruction and had not served "in the field with troops" full eighteen months; all Army and naval officers, volunteer or regular; and all Mexican war soldiers, however long they may have served, however severely they were wounded or disabled by disease contracted in the service; all sailors and marines of all wars; also all Spanish and Philippine war veterans, and all veterans of all Indian wars.

The purpose of each bill seems to be to disgrace all volunteer officers of the civil war, all officers and men of the Regular Army and of the Navy.

This is a summary of the widely proclaimed bills under which all veteran Union soldiers and sailors of the civil war have been led to believe they are to be pensioned at \$1 per day.

The honorable discharge of a Union veteran soldier, sailor, or marine, regardless of his length of service, puts him on a true roll of honor not to be detracted from by buncombe legislation, certainly not to be detracted from at this late day. Such a roll of honor is hallowed with patriotism, and by duty well performed, too sacred to be tampered with for the purpose of making political capital, or for any other purpose. [Applause.]

But treating the bills as pension bills, though they are not, and supposing that under them civil war veterans to the number of 175,000 would be pensioned at \$1 per day, it would require an aggregate per year of \$63,875,000 to pay them, subject to reductions for pensions some of them now receive, instead of \$17,500,000 the first year, as stated by my colleague. He is unfortunate in all his figures. It would require a little more than \$17,500,000 to pension at \$1 per day 48,000 veterans. If all the old veterans of the civil war, as pretended, should be pensioned at \$1 per day, the total number would probably exceed 700,000, and the sum required annually to pay them would exceed \$255,500,000. But if the civil war veterans so to be pensioned should only equal those now pensioned, the number would be, as last reported (February 1), about 633,338, and the aggregate annual payment would at first be about \$231,186,620, subject to reductions by the amount of pensions the same old soldiers now receive. The reductions and additions would probably for a while equalize each other.

Only about 100,000 of the number now pensioned, as we have seen, would be pensioned if the bills were amended to pension those who would go on the rolls. The average annual value of a pension of a civil war veteran is about \$175, which would make the total to be deducted on account of this 100,000 from the aggregate \$17,500,000, leaving still, under such a law, an addition to be paid annually of \$213,686,620, more than fifteen times the amount my colleague states would be necessary and above \$63,000,000 more than we now pay to all our disabled Army and Navy pensioners, including veterans, widows, minors, and all other classes, leaving the sums now paid other and disabled pensioners not very largely reduced. And, as has also been shown, the rolls proposed to be created would have on them at least 75,000 soldiers not now pensionable because under no disability. If they, too, should be pensioned at \$1 per day, it would require a further appropriation of \$27,375,000, which would bring the total additions up to \$241,061,620 and the aggregate to be paid annually to above \$350,000,000.

Following the line of retrenchment my colleague suggests it would be necessary to inaugurate to enable the Government to pay the \$17,500,000 he estimates, it would become necessary, in order for it to be able to pay the real increase (about \$200,000,000) that would result, to wipe out or cripple still other departments or branches of our Government and to put an end to other of its great enterprises besides, as he suggests, the Army and the Navy, and besides withdrawing from the Philippines in dishonor and disgrace, and besides abandoning the construction of the Panama Canal, the greatest single world enterprise of the ages.

Still regarding, for the purposes of this discussion, the bills as pension bills, we find, following the analysis of the bills already made, and regarding the whole number of veteran civil war soldiers who could possibly be eligible to rolls proposed to be established at 175,000 (the author's estimate), and making no allowance for changes in the number of civil war pensioners since February 1, 1908, and assuming that the whole 175,000 claimed to be eligible to the rolls were now pensioners, there would still be 358,388 of the disabled pensioned civil war veterans not on either roll, and therefore not pensionable under the bills, but pensionable, as now, on an average at less than half the others' rate. And following the same analysis, 100,000 is a fair estimate of the now pensioned disabled war soldiers who could get on the rolls under the bills, and the remaining 75,000 would be made up of soldiers who have now no pensionable disability either on account of wounds, of disease, or of age. There would still be 533,338 of the most worthy soldiers of the civil war—above five-sixths of those now pensioned for disability—who would not receive pensions at \$1 per day should the bills be amended into pension bills and become laws. And no Mexican or Spanish war veteran, nor veteran sailor, or marine of any war, nor any veteran of any Indian war or of the Philippine war, nor any regular soldier of any war, nor any volunteer veteran soldier of the civil war who at any time became a regular soldier or a commissioned officer, nor any officer, volunteer or regular, would receive such pension. And others would not, though disabled and their service was distinguished in many battles and in campaigns of years' duration.

Verily the bills are not designed to provide a pension of \$1 per day for all old veterans of the Civil War as they have been led to believe, nor are they bills "giving to every veteran who served eighteen months at the front \$1 per day" as their author stated in his February 26th speech.

I believe in real pension legislation; not pretenses of legislation for partisan purposes. The Republican party has a record for liberality in pensioning not only civil war veterans but the Mexican and Spanish war veterans and the disabled soldiers and sailors and marines of all other wars and their widows and orphans. Since the civil war ended (1865) there was disbursed before the end of the last fiscal year to such veterans and their dependents \$3,501,570,279.46.

At almost every session Congress passes one or more general, and many special, acts enlarging the pension roll, and increasing its value. From the time I first entered Congress (the Forty-fifth) in 1877 I advocated liberal pensions to the Republic's defenders in all wars. On January 5, 1885, (Forty-eighth Congress) I moved to suspend the rules here and to pass a Mexican war pension bill granting a pension of \$8 per month to the—

Surviving officers and enlisted men, including marines, militia and volunteers, of the military and naval services of the United States who served sixty days in the war of 1846 and 1847 and 1848 with Mexico, or who, being enlisted as aforesaid, actually served with the Army or Navy of the United States in Mexico in said war, or were actually engaged in a battle in said war, and were honorably discharged, and to such officers and soldiers and sailors as may have been personally named in any resolution of Congress for any specific service in said wars although their term of service may have been less than sixty days, and the surviving widows of such officers and enlisted men.

That bill then failed for want of a two-thirds vote, which stood 129 for to 85 against, in a Democratic House; and no Republican voted against the bill. Now, Speaker CANNON and other Republican Members besides myself, spoke and voted in support of my motion. Later a Mexican war pension bill was passed, principally through Republican votes.

Shortly after I reentered Congress (Fifty-ninth), I had to do with legislation doing away with the much-assailed "Order 78," relating to an age presumption of disability and making certain ages conclusive of disability, and later I favored and voted for the McCumber Act fixing the rate of pension of veterans 62 years of age, at \$12; 70 years of age, at \$15, and 75 years of age, at \$20 per month, under which act about 250,000 veterans have now gone on the pension rolls either with an increase or as original pensioners.

We have passed a liberal widows' pension act admitting some widows not hitherto pensioned and increasing to \$12 the monthly payment to widows.

I recently reported, and we passed, a \$150,000,000 pension appropriation bill for the next fiscal year, and a deficiency of \$15,000,000 is expected.

The attacks on Congress, or individual Members thereof, for a lack of liberality in granting pensions is a gross slander and without justification. When further general pension legislation is enacted it will be, as in the past, on just and liberal lines, recognizing all honorably discharged veteran soldiers, sailors, and marines, particularly the disabled of all our wars, and the widows and orphans of those who are deceased.

The true citizen soldier, sailor, or marine has not, in any of our wars, responded to his country's call to arms for pay, for bounty, or for the hope of pension, but to discharge his duty as a patriot who loves his flag and his country and to preserve and perpetuate the liberty and the blessings guaranteed by our Constitution and laws. [Applause.] He has gone forth to fight and die for his own sovereignty—that sovereignty which wears no crown save that of independence common to all citizens of our Republic. But, notwithstanding this, a deeply grateful country has cared for and will continue to care most liberally for all her war veterans and the dependents of those who have fallen in battle or have died of wounds or of disease. Let us not endanger the liberal discharge of this obligation by professions and pretenses or by proposing sham legislation, born of a political exigency, which can bear no fruit. The true friends of the now old, war-worn, battle-scarred, weary, and worthy veterans do not resort to such efforts. And these veterans will not regard with favor the mockery of a pretense of a tender of bread from a hand that holds only a stone. [Loud applause on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, I now yield thirty-five minutes to the gentleman from Mississippi [Mr. BYRD].

Mr. BYRD. Mr. Chairman, continuing along the line of my remarks a few days ago, I desire to say that we are upon the eve of a Presidential election, and of all the vital issues to be considered in this campaign the most important is whether we are to continue the doctrine of high protection or return to the policy of our fathers, who believed in taxation for revenue only and in equal opportunities to all men and all industries. It is to be hoped that our Republican friends are beginning to realize that their paramount policy, if it ever had a virtue, has now reached the limit of its usefulness, and that it is now destroying by overproduction the very industries it was intended to foster. It has been contended that the American markets should be monopolized by protection in order to guarantee our industrial development, but it is apparent that many of our tariff-protected industries have outgrown this monopolized market, and are struggling on the verge of bankruptcy for the want of a place to sell their surplus. This paramount policy of the Government for forty years has brought us face to face with an industrial crisis such as never before confronted any nation. In support of this statement let me say:

First, for quite half a century we have been separated from the consuming masses of the world by selfish laws, by an insurmountable tariff wall, our central idea of government being "American markets for American products." This unwise doctrine not only includes home markets, but extends to those of our insular possessions, and in another form it circumscribes our shipping industry. No foreign vessel is allowed to engage in our coastwise trade, nor is our flag permitted to float over any vessel not manufactured by domestic trusts; no material for the construction of the Panama Canal or other public work can be purchased without this wall of protection, and the limit is not yet reached, since there is now pending a joint resolution forbidding the transportation of supplies to Panama in foreign vessels.

Next, we are becoming flooded by overproduction. Having outgrown our home markets, we must look to other nations to consume our surplus products, which are yearly increasing by leaps and bounds. In 1896 they were \$863,000,000 and \$1,717,000,000 in 1906, an increase of nearly a billion dollars.

Next, this is indeed a day of world-wide commercial activity. European nations are vying each with the other in their efforts to monopolize foreign markets, having practically partitioned the continent of Africa, and by advantageous trade concessions have a monopoly of the trade of South America. Japan has complete control of Korea and has a jealous eye on all that part of China not dominated by England, while Russia, by taxation, is fast driving us from northern Asia. Should Europe and Japan, after having secured domination of the world's markets, do unto us as we are doing unto them by levying retaliatory tariff duties, what would become of our increasing surplus?

In view of these conditions—first, our increasing national selfishness; second, the marvelous increase of our products above home consumption; third, the world-wide activity of other nations in appropriating the world's best markets—how can our high protective policy appear otherwise than unjust, unwise, and indefensible?

In my judgment, the policy of protection never contributed to our national wealth. While upbuilding one section it destroyed another; in making Pittsburg it destroyed Charleston, Savannah, and other seaports; Pennsylvania may have developed under its hothouse influence, but it brought poverty to many

other States; it has given multiplied millions to a favored few in some sections, while to the masses in other parts only trust robbery and high taxation. England has had free trade only a few years longer than we have had high protection, yet we find her 43,000,000 people congested within an area scarcely larger than New England, possessing a per capita wealth of \$1,475, while ours is only \$1,393, notwithstanding our national resources are tenfold more per capita than hers. Let me read the following table showing the individual wealth of the four leading nations:

England	\$1,475
United States	1,393
France	1,200
Germany	727

From this it appears that highly protected Germany has only about half the per capita wealth of free-trade England. Then away with the idea that protection enriches a nation. [Applause.]

NO POLICY THAT ROBS ONE MAN TO ENRICH ANOTHER CAN INCREASE A NATION'S WEALTH.

Mr. Chairman, many wrongs have been committed in the name of protection. It is the author of 90 per cent of the trusts, that not only like highwaymen rob the masses, but destroy the laborer by refusing him bread-earning work with one hand and raising the cost of living with the other. Yet all of this pales into insignificance when compared with the injury done by closing the markets of the world to our increasing surplus products. It is wrong, indeed, to commit robbery in any form, but it is the limit of cruel injustice to rob a man and then deny him an opportunity to replace his loss, yet this is just what protection is now, and has been doing for the farmer for the last forty years. It forces him to not only yield up his hard-earned dollars to swell the coffers of the rich, but forbids him the privilege of feeding and clothing millions who are suffering for his products in other quarters of the globe.

No one making more than he can consume will prosper unless he can induce some one else to purchase his surplus. If he makes more than is needed in his own town or country, then he must have access to other markets or suffer all the evils of industrial congestion. The want of adequate markets has been the fate of the Southern farmer for many years; his great staple could not be consumed at home, and it has been begging for purchasers abroad.

Mr. Chairman, the seller always prospers when he has competitive purchasers. When there is only one purchaser, the latter names the price and takes the goods; when but few, they agree on the price and take them; but when many, they compete for the purchase, and the highest bidder takes them. Hence a wayfaring man, though he be a fool, can see the fallacy of circumscribing the American producer to the purchasers of an overcrowded home market. For forty years England named the price of our Southern cotton and took it; now she, Germany, and a few other nations agree on the price and take it. As to how it will be sold in the future, we can only conjecture, but one thing is certain, we can not hope for higher prices unless we find new purchasers by expanding our markets in other nations. Nothing is so vitally important to the cotton growers of the South just at this time, when the dawn of prosperity is breaking upon that long depressed section, as the removal of every obstruction circumscribing our trade zone. Since American cotton first attained importance as a commercial commodity, its producers have been compelled to look beyond the sea for a market for two-thirds thereof. In 1850 we made about 2,400,000 bales. One-third went into home consumption, one-third was purchased by England, and the balance by other countries. The same per cent of consumption at home and abroad has remained practically unchanged, for in 1906 we produced about 13,500,000 bales, of which we consumed about one-third, England practically one-third, and the world at large the remainder. Hence the time has never been when the Southern farmer was not twice as much interested in markets abroad as in those at home. This being true, is it not apparent to anyone that any obstruction thrown between the cotton fields of the South and the markets of other countries must result in much injury to this great industry?

It is an inflexible law of political economy that industrial development, under the protected home-market idea, reaches its limit when the demands for local consumption are supplied. For this reason our sawmill, shoe, cotton, and many other manufacturers are now waning and struggling for financial existence, having oversupplied the market at home and having only a meager one abroad. Twenty years ago the ring of the hammer building cotton factories might have been heard in nearly every city of the South, and their stocks were selling at a premium in nearly every market. But how few have been

built in the last five years, and how many have gone into bankruptcy within that time? I know of several on the verge of financial ruin in my section, and a reputable gentleman from the South on yesterday told me that he could now buy the stock of more than one cotton factory in his vicinity for less than half of its value ten years ago. What a different picture is presented by the present prosperity and activity of the cotton-mill industry of other countries, especially England, as shown by the following extract from a bulletin just issued by our Department of Commerce and Labor:

The recent erection of new cotton mills in Lancashire has been without parallel in industrial history. In order to emphasize the marvelous extension in the productive capacity of the Lancashire zone it may be pointed out that the number of spinning spindles added within the last three or four years in the district of which Manchester is the distributing center and Liverpool the cotton-buying headquarters exceeds 10,000,000, with approximately enough new looms to take the increased yarn output. This development is all the more astounding when it can be truthfully said that the English growth is greater than the total number of spindles operated in either Germany, India, Russia, France, or any other country in the world except the United States, and that the total spindleage of our Southern States does not reach the growth in Lancashire since 1900. And no end seems to be in sight, for new mills are projected almost every week. Some halt in the movement is evident, but that is only due to the fact that cotton machinery makers have their output sold so far ahead that it is impossible to obtain the deliveries for new mills for one year or more to come. Nor have other manufacturing countries been at a standstill. Continental Europe and Japan and India have been abnormally active in mill building.

Permit me to read further from the same bulletin:

It has been estimated that prior to the present unprecedented boom in the British cotton-mill building the normal increase in the world's consumption of cotton was approximately 400,000 bales annually. If we add to this only a part of the abnormally increased British and other requirements, we get at least 1,500,000 more bales needed each crop year than the spindles could previously consume.

Let me ask every Republican on this floor why this difference in the prosperity of England's free industry and our protected industry? Do you not know that it is because she has unlimited markets, while we have practically none? We have a congesting surplus of cotton goods; she has none. In 1906 she sold abroad \$600,000,000 of her cotton goods, while we only sold \$53,305,412, or less than one-eleventh of that amount. Her factories are running day and night, while ours are shutting down for the want of purchasers for their products. Ought not this showing to convince any person that the ultimate result of protection is the destruction of the very industries it pretends to protect?

Mr. Chairman, unless we abandon this policy of national exclusiveness, or otherwise find markets for our manufactured cotton goods, the South will be compelled to endure perpetually the loss of more than one-half the value of her greatest crop by having to continue to export it as raw material. It is an economic axiom that a country exporting largely her raw material never becomes rich. Only about 3 per cent of England's exports are in the raw state, while the German and French never permit a raw product to leave their shores if there is any possible method of increasing its value by shaping it into some useful product. The manufacturing and commercial nations have always dominated the wealth of the world, and all nations except the United States expand their commerce in the same ratio they increase their factories. We have developed the latter to the destruction of the former. We now export about 65 per cent of our cotton in the raw state, thereby losing to the nation multiplied millions of wealth. This wonderful crop, if utilized by this as it is by other countries, would not only prove to be our greatest source of national wealth, but would develop a great section and provide a support for an additional five or ten millions of people.

Why is this great wealth-giving product not manufactured at home and sent abroad in useful fabrics, or why do we give other nations the heart of the nut while we keep the rind? There must be some well-founded reason for this economic imbecility. We are rich—able to build all the cotton factories of Europe—possess in our mountain streams natural power sufficient to turn every spindle of the world, and have brains, mechanical ingenuity, and energy equal to any nation. Then why do our surplus millions seek doubtful investment in foreign countries rather than in cotton factories at home? There is, or can be, but one answer, and that is, we "hath not where" to sell the fabrics when made. Flooded at home by overproduction and outlawed by our selfishness abroad we are indeed in a helpless and hopeless condition. If we only had the English foreign markets in which she sold the 6,000,000,000 yards of cotton goods in 1906, but few bales of raw cotton would ever leave our southern shores. The whirl of the spindle would be heard on every hand, and new cities would spring up like "isles from the sea" in the sunny South. [Applause.]

It will not suffice to say that England holds the prestige of the world in manufacturing cotton on account of her cheap labor, for many nations having much cheaper skilled factory labor are not known in the cotton manufacturing world, and, too, upon the examination of the facts we find that her factory labor is quite as well paid as ours. Besides, her factories, unlike ours, are hampered by all kinds of rigid labor laws. A government agent writing on this subject says:

Manufacturing operations in England are regulated by a multitude of statutory restrictions and regulations. The "factory and workshop act" is the name of the code for regulating the conditions of industrial employment. . . . Some of the things subject to governmental regulations are cleanliness, whitewashing of workrooms, amount of air space per worker, ventilation, temperature, and humidity, sanitary conveniences, and cloakrooms. Safety must be secured by fencing dangerous places in machine and power-transmission gearing. Restrictions must be observed as to cleaning when machinery is in motion, ample provision of fire escapes must be made, and doors must be locked and must open outward, except in the case of sliding doors. There are also restrictive provisions as to the employment of women, young persons, and children, the compulsory education of children, time allowed for meals, and holidays.

A short time ago I had the pleasure of meeting an Englishman returning to his home from an inspection of the cotton manufacturing industries in the South. He said that he came to this country hoping to find it to his advantage to enter into that business here, but, upon investigation, he had found that we were making more cotton goods than we could sell, and that to buy his cotton machinery here he would be forced to pay a 45 per cent tribute to the steel trust; that in England he could save this robbery, and, besides, to build his factory there would give him the world for a market. Hence he returned home discouraged and disappointed with the prospects of the American cotton manufacturing industry.

Mr. Chairman, I dare say that if the cotton belt had been north of the Ohio River instead of south of it; if the untold riches lurking in the possibilities of the cotton plant had been within reach of the grasping Yankee, this infamous market-destroying policy would not have been born, and in that event every pound of cotton leaving our shores would have dropped into our coffers 30 to 40 cents instead of 10. While the South was struggling with the problems of an unsuccessful war—poverty, carpetbaggery, and reconstruction—you were forging the chains of her industrial slavery. But just here let me diverge a moment and say that he is a fool who thinks the South is Democratic on account of the apprehension of negro domination. We fear him not. He is contented and happy, and you can not pass laws enough to disrupt him. Even this benighted son of Ham has learned of your methods of robbery, and you will never have decent Republicans enough in the South to "sing bass" in a backwoods revival until you have become more familiar with the old adage, "Do unto others as you would have them do unto you," and with that commandment which says, "Thou shalt not steal." [Applause.]

Mr. Chairman, there are twenty men beyond the sea to consume Southern cotton where there is one at home; and this being true, how can it be expected that any Member from that section, having the well-being of his people at heart, will stand for other than a fair and open-market policy? No Southern man except a political pelf hunter can afford to support any tariff policy except that predicated upon a strictly revenue basis. To act otherwise would be treachery to the blood and the land that produced him, and in this may be found the reason why the only white Republicans of that section are those now eating or scrambling for the pie dumped over the counter at the White House—pie-eating Republicans.

But, returning to my subject, foreign countries purchased two-thirds of our cotton crop of 1907, amounting to 8,708,469 bales, for which they paid us the sum of \$481,277,797. They manufactured this raw product and sold it to the world for \$1,400,000,000, making a net profit of \$900,000,000. England alone paid us \$212,605,609 for raw cotton, manufactured it and sold it to her subjects at home and to the world for not less than \$600,000,000, making in wages and profits more than \$400,000,000. In 1907, after having supplied the wants of her own population of 43,000,000, she sold abroad \$600,000,000 worth of cotton fabrics, made almost exclusively of Southern cotton, or more than the gross output of all the American mills, while for the same year we sold abroad the small sum of \$32,305,412. Upon these figures "hangs a tale" of idiotic statesmanship that will blur many pages of our history written within the past half century. In all these years while our favored policy was home markets by protection the keen-eyed Briton adhered steadfastly to the policy that practically gives him the world's riches. Not only is England becoming enormously rich by profits realized in manufacturing our raw cotton, but so are Germany, France, and other European countries who buy their chief supply of raw material from us, as will be

shown from the statistics of 1907, as per the table I here insert, giving the amount of manufactured cotton goods sold abroad that year by the four leading nations after supplying their home demands:

From the United States	\$53,305,412
From France	78,000,000
From Germany	118,000,000
From England	600,000,000

Is it not strange indeed, as shown from this table, that the United States, the home of the cotton plant, with all of her boasted wealth and intellectual arrogance, would cowardly surrender the millions of wealth involved in manufacturing and selling to the consuming world her own monopolized raw product? Why is this true? The answer is written in the damning schedules of the Dingley law.

In this connection let me quote from a recent boastful speech made by Mr. Lloyd George, then president of the British Board of Trade, member of Parliament, and who has just been raised to the English ministry, as follows:

Well, now, it is really very astonishing what Lancashire has done in cotton. Here you have got to carry your material thousands of miles across the ocean and you beat the world. There are two or three figures I should like to quote here because they are very remarkable. They are figures full of romance. It is a great story—a story of British grit, of British brains, of British courage, and it is something—after all we must not be too modest—to be proud of. Here we have the United States of America growing its own cotton and selling to the world last year \$53,000,000 worth of fabrics. Here in Lancashire, which has to get its cotton from America, and, I am very glad to say, now getting its cotton from the British Empire in growing quantities and in improving qualities, has gone up to \$500,000,000, and you are going to exceed that this year. In five years you put something like \$135,000,000 into the cotton business of Great Britain. The United States of America has put in something like \$20,000,000, and Germany has put in \$30,000,000, and we expect three times as much as both of them put together. So, "let us eat, drink, and be merry." At any rate, if every county in Great Britain looks after its business as well as you are fighting your corner here in the great battle of British commerce, and fights for its own, there is nothing to fear and the only thing you can say is "what Lancashire is to-day let England be to-morrow," and all will be well.

Now, if my Republican friends have any degree of political honesty, they must keenly appreciate the humiliation thrust upon us by this truthful statement of the wily Englishman, and if they have statesmanship sufficient to look beyond the realms of selfish greed they must see that the English policy is right and ours is dangerously wrong. [Applause.]

Mr. Chairman, in further condemnation of Dingleyism, and in contrast with the proud boasts of this English statesman, I want to read from our trade reports for July, 1907, an extract from the views of Mr. Fee, our consul at Bombay, a daily observer of England's exploits in the foreign cotton-goods markets. He says:

Not more than 6 per cent of the American export of cotton is in a manufactured form, yet we grow three-fourths of the world's supply, and furnish our competitors with the raw material, thereby losing the profits of the capital and the employment of labor that would result from such a vast world's industry. There is something radically wrong with the condition of the cotton trade. Did we manufacture the bulk of the cotton we grow and export we would thereby control and supply the world's cotton market, giving profitable investment to millions of capital, employment to a vast army of labor, build a dozen Manchesters within our borders, and furnish the cargo to an American merchant marine. The fact is that we can now manufacture better cotton cloths, yard for yard and pound for pound; and with our vast facilities, home-grown cotton, our inventive genius, and superior machinery, we can do it at a less cost than can be done elsewhere, excepting where higher wages interfere. Personally the day would be welcomed when our competitors would find other sources from which they would obtain their raw cotton and would cease buying from America, thereby forcing us to manufacture our own crop and enter, as we have not yet done, in dead earnest into a competition for our proper share of the world's supply. It remains for us to say whether we shall spin and weave for the world's market nature's abundant gift to us, or shall continue to grow only and permit another to collect the profits of our toil.

But, Mr. Chairman, it may be contended by some that England's international trade zone is open to our trade, she being a fair-trade nation, but it should be remembered that Canada, and perhaps others of her colonies, have already been so outraged at our system as to levy a retaliatory tariff against many of our products. Only a short while ago I noticed that a member of the English Parliament had been elected from the city of London upon the Chamberlain idea of retaliation against our policy. Also, we find in this bulletin on England's cotton industry, by Mr. Whittam, special agent sent out by our Commerce and Labor Department, the following:

American export trade in cotton can only be developed in countries which have not erected a preferential tariff barrier against us, and so far we seem to have made no effort to enter the greatest of all neutral markets—British India. The country takes 40 per cent of England's enormous cotton-cloth exports, notwithstanding the fact that England operates 6,000,000 spindles of her own. England sends to India over 2,500,000,000 yards of cloth a year as against less than 1,000,000,000 yards to all other countries combined. Many statesmen and leaders of public opinion and thought in England predict that sooner or later a commercial empire union will be established between the United Kingdom and her colonies and dependencies, and with it a tariff barrier against the United States and those of every foreign cot-

ton-manufacturing country. Therefore this is the time for United States manufacturers to establish a foreign market for their goods which will not be easily shaken from its foundation.

Now, if this prediction should prove true and England, in just retribution, should retaliate against our unreasonable trust policy and thereby shut us out of her rich markets, what would become of our future cotton-manufacturing industry? Would it not always languish as at present, and would it not entail perpetual poverty upon every cotton State? How are you going to answer this, my Republican friends?

Sir, it was my pleasure to attend the great International Cotton Convention held last fall in Atlanta, in which there were more than 100 foreigners, representing multiplied millions of wealth invested in foreign cotton factories. They were from England, Germany, France, and other countries negotiating with the great Southern cotton associations to facilitate a closer union between the "grower and the spinner," and for the purpose of eliminating the robbers standing between the cotton fields and the factories—the brokers and exchanges. This was all commendable, but the paramount thought that entered my mind was the fact that a great people and a great nation like this should be humiliated to the extent of calling on any foreigner to assist in taking care of any American industry. Why should they not also be eliminated? They stand between the cotton fields and millions of consumers, pocketing two dollars to our one. Do you suppose that England, Germany, or any other first-class nation would call upon American manufacturers to meet her subjects in deliberation touching the well-being of any of her great industries? The convention accomplished much good, and I refer to it only in order to impress upon this House and the country the necessity of changing our policy, manufacturing our great raw product at home, and send it directly to the consumer, thereby preventing these foreign leeches from growing rich on the fruits of our sweat and blood.

I was impressed with another fact by that convention, which is that our cotton farmers were annually suffering a loss of from twenty to fifty millions of dollars by having to send the product abroad to be manufactured. When a bale of Southern cotton reaches the factory at Manchester, England, it is rolled into a warehouse, stripped of its wrapping, denuded of all dirt and damaged cotton, and the price paid for the remainder, less the marine insurance and ocean freight, is what the farmer receives.

In an unfavorable season this loss to our farmers amounts to 15 or 20 per cent of the crop, all of which could be saved could the cotton be handled from the field to the factory and from the factory to the consumer. Besides, if only one-half the crop now exported could be handled from the field to the factory, the farmer's land would double in value; great cities would be built with a teeming population to consume his surplus food products, thereby enabling him to diversify his crops and always keep his production of cotton within the limits of the world's consumption.

Our only hope now is to disrobe ourselves of national selfishness and compete for the trade of the unappropriated countries. Protection has already cost us many of the richest cotton-goods markets of the world, and we might as well undertake to blot the stars from the firmament as to attempt to drive Europe from them by competition, force, or otherwise; nor will merchant marines or expanding navies reclaim them; nor will our great armada coquetting with the nations of South America and the Orient regain the pearls we have fed to the swine of protection.

Mr. Chairman, the world's population is estimated to be about 2,000,000,000 souls, and granting that the other civilized countries, if they had the opportunity, would consume only half as much cotton as we do per capita, which is about 12 pounds, then it would take an annual crop of 20,000,000 bales to supply the world, and when we consider the rapid strides of civilization and the many additional uses being discovered for cotton we are forced to conclude that in the near future to meet the demands of the world it will require 30,000,000 bales. Of this vast horde of people, every one now civilized and yet to be civilized will become a continuous consumer of this great product. Next to bread, it is the most indispensable necessity to human existence. It is required by the rich and can not be discarded by the poor—an indispensable commodity in every household, whether within the Arctic Circle or within the Tropics. The new-born babe is wrapped in its silken folds, and it furnishes a winding sheet to the centenarian in death. [Applause.]

At one time I thought perhaps the day might come when, under the supervision of European development, the cotton fields of Africa and other countries might supplant us in the production of raw cotton, but now I am convinced otherwise. The exploitations of England, Germany, and other European

countries in foreign cotton fields, while they have made much progress, have utterly failed to produce or even to promise a production sufficient to supply their increasing factories.

Statistics compiled by the New York World show the production of raw cotton for the United States and other countries to be as follows:

Year.	Total.	United States.	East Indies.	All other countries.
	<i>Bales.</i>	<i>Bales.</i>	<i>Bales.</i>	<i>Bales.</i>
1903-4	12,636,000	10,275,000	1,300,000	1,063,000
1904-5	13,528,000	11,768,000	872,000	1,020,000
1905-6	14,072,000	11,967,000	1,288,000	1,274,000

This table is sufficiently correct to show that the United States now furnishes about 80 per cent of the world's commercial supply of cotton, notwithstanding millions of dollars have been expended by Europe in exploiting cotton culture in every quarter of the globe.

Mr. Chairman, it seems that we have a perpetual monopoly on this product, and the full measure of this inexhaustible source of wealth can only be appreciated by remembering that as long as civilization lives, as long as God's children live upon the earth, they must hide their nakedness, and those who live under the Stars and Stripes a thousand years hence, when our forests shall have been destroyed, and when our soil shall have yielded her last mineral to avarice, will behold the world still looking to the snow-white fields of the South for raiment. [Applause.]

If our cotton belt had belonged to any other civilized country, do you suppose it would have shared the same neglect and selfish indifference, if not oppression, from that government as it has from ours? If hers, England would go to the limit of her broad statesmanship in fostering the industry. It would not only be shielded from the thieving, protected trusts, but markets and factories would be provided for every fiber now produced or to be produced.

This great industry has been sacrificed to the upbuilding of other commercial enterprises. Protection has given it nothing but taxation, trust robbery, and destroyed markets, and if it has prospered in any degree it has been in spite of the infamous doctrine. Protection did not give us our fertile lands, navigable streams, sunshine, and showers; it did not provide the brains and energy of that noble, rustic citizenship who makes two bales of cotton now grow where one formerly grew.

Again, Mr. Chairman, if the great cotton industry of the South had even received a partial consideration at the hands of the Government, it long since would have enriched the nation. Several years ago agents were sent to Europe to teach the people how to utilize the corn of the Western farmer for food, but not until a few years ago did the Government ever spend a cent to open new markets for cotton and cotton products. But let me say that the cotton planters of the South feel deeply grateful for even the paltry sum expended in this regard. They have already realized good results from it, and I dare say that no public money was ever more profitably spent. The amount now appropriated for this purpose is by far too insignificant to get the best results, as will be attested by our Bureau of Commerce. In the early part of this session I introduced a bill to increase the appropriation to \$500,000, and I think a more judicious expenditure could not have been made. Far better would it be to appropriate this amount to expand our commerce into countries where it has been heretofore unknown than to bury twenty times that amount in a battle ship to rust out in peace on the high seas, for if by so doing we could add a few cents a pound to our cotton crop, the South alone in a few years would be able to buy the whole English navy. It is my best judgment that the annual expenditure of that amount for this purpose would prove a permanent guaranty of a compensating price for this product, and therefore would enrich the country a hundred-fold. I would rather be the author of even one additional cent a pound for our cotton than to reign as lord admiral of our Navy.

These special agents have been sent to South America, Europe, and Asia, and their reports are encyclopedias of information on the possibilities of American cotton goods and products in many foreign markets, if we only had the wisdom to reach them. Their work must be commended and must eventually result in great good to the country; but allow me here to venture one criticism of the reasons they assign for our inability to cope with other nations abroad. One says it is because we have no merchant marine; another because we have no international banking facilities; another because we have little knowledge of the kind of fabric used away from home, and another because our goods are not packed so as to be free from damage in shipping, all of which may be true, but they are as silent as the dead as

to the real cause of our trouble. Doubtless they received instructions before leaving Washington that under no circumstances must they report any obstruction caused by protection. Those instructions were doubtless given them under the penalty of losing their official heads, and since "the ox knoweth his owner, and the ass his master's crib," we ought to be generous enough to forgive them. But, Mr. Chairman, we have only to read between the lines of these reports to discern the real cause of our trade troubles beyond the sea. For instance, take the report of Mr. Whittam on English cotton industries, referred to before in this speech, and you will find this remarkable statement touching the sale of cotton goods to our adjoining nations:

Coming nearer home, and comparing the British sales to the republics to the south of us on this hemisphere and the islands of the West Indies with our shipments to those countries, it is found that 1906 witnessed a greater trade in cotton goods between those countries and Great Britain than the total American shipments to the entire world. The official records show the cotton cloth shipped by England to the countries south of the United States in 1906 amounted to 755,000,000 yards, while American shipments during this period to the same countries were 136,000,000 yards. The total United States exports of cotton goods in 1906 were 511,000,000 yards.

Looking farther, Mexico, connected with the States by excellent railroad and steamship facilities, took 25,500,000 yards from England during 1906 and only 2,500,000 yards from the United States. Cuba, which has given us a substantial tariff preference, bought from this country in 1906 only 16,000,000 yards, taking during the same period nearly 59,000,000 yards from Great Britain.

From this it appears that we have not only been practically driven from the lower South American republics, but are being outlawed by England in Cuba and Mexico, our door neighbors. It is strange indeed that England can buy her cotton in Galveston, take it 4,000 miles to England, make it into cloth, bring it back, and sell it to the Mexican cheaper than it can be made and sold to him from Texas, separated from that market only by the Rio Grande. There is some well-founded reason for this anomalous trade condition, and it is we have outlawed Mexico by our infamous Dingley law. In the same ratio that we have closed our doors to her she has hers to us. In order to grease the beef trust, the copper trust, the hide trust, and a few others, we have levied an embargo ranging from 15 to 50 per cent on her leading export articles, while England has opened her doors wide to them. Consequently a 10-year-old boy can see the cause of our trouble. In the same manner we are driven from the cotton-goods markets of Cuba, notwithstanding we have a 25 per cent reduction of our tariff in her favor on many of her products. By all the ties of patriotism this trade should come to the United States. Every breath of national life she breathes is under our flag, and I dare say her trade would be ours if we appreciated it better than we did the sugar and the tobacco trusts and admit her greatest commodities free of duty into this country.

More than this, Mr. Chairman, we find from figures furnished by the Department of Commerce and Labor that England sold to our first-door neighbor, Canada, in 1907, manufactured cotton goods to the amount of \$8,801,727, while we only sold that year \$3,312,000. There is nothing separating the bankrupt cotton factories of New England from this rich, expanding market except the impassable wall of Dingleyism. She boycotts us because we outlaw her.

Again, our military flag, at a cost of \$700,000,000, waves over the Philippines, but the English flag floats proudly over her commerce. In 1907 we sold to the islands cotton goods to the amount of \$1,608,000, while England sold \$2,865,527 worth. We send them bombs, she sends them raiment. We tax their few crude products out of this country, she takes them free into hers. Hence she gets their trade and we their curses.

And on and on we might go, showing in this manner we have alienated from us the richest fields of trade—have sacrificed everything to the end that a few shysters at home might become millionaires.

Proceeding further, Mr. Chairman, I want to make another criticism on these reports of our foreign-trade agents. For a long time it was strange, indeed, to me why they did not report the very great damage being done the American farmer by taxing him trust prices at home for all his agricultural supplies in order that the trusts might furnish the same to his competitors abroad at a much less price, but this question was loudly answered by the vote on the amendment, proposed a few days ago, directing them to look into and report on this matter, when your party voted solidly against it. I would like to know how you can look the honest farmer of the West in the face and ask him for his vote, when you know your policy and your vote compels him to pay 20 per cent more for his reaper than the trust sells it to his competitor, growing wheat in competition with his wheat on the plains of Argentina; and how can you ever hope to win a vote among the decent farmers of the South when they know and the world knows that they are being taxed

from 20 to 30 per cent more for their cultivators, cotton planters, and other cotton-growing machinery than the trusts are selling the same implements to the cotton growers of Africa and Russia, who are his direct competitors in all foreign markets?

For the twelve months ending December, 1907, we sold to Russia, at a price 20 per cent less than was paid by home consumers, agricultural implements to the amount of \$4,352,523; to Canada, \$2,515,489, and to Argentina, \$3,588,759. All three of these nations are now putting forth superhuman efforts to drive the American wheat and cotton out of the world's markets, and it does seem that the farmers of this country would rise in rebellion against any party or policy producing this infamous condition.

The policy of maintaining the United States harvester trust by a high duty on all agricultural implements in order that it may charge the wheat growers of the West \$20 more for a reaper and \$5 more for a cultivator than it does the wheat growers of Canada and Argentina is so infamous as to deserve the execration of every farmer in the land. When we remember that our farmers are being taxed in order to foster an industry in a foreign country whose sole object is to drive us out of the food markets of the world, we must conclude that our people must be controlled by the grossest ignorance or they would rise in arms against such a usurpation of their rights.

In order to show how the wheat industry in Canada and Argentina is being developed by the purchase of our cheap agricultural machinery and other necessities of farm life, I invite your attention to the following table, which shows that these countries are fast supplanting this in the exportation of grain:

Domestic exports of wheat and flour combined from the countries below named.

[Flour reduced to wheat at the rate of 4½ bushels of wheat to barrel of 196 pounds.]

	United States.*	Canada.*	Argentina.*
	Bushels.	Bushels.	Bushels.
1900.....	186,096,762	20,301,379	73,495,142
1901.....	215,990,073	14,773,908	36,858,230
1902.....	234,772,516	31,007,446	25,672,368
1903.....	202,905,598	38,780,692	65,421,537
1904.....	120,727,613	23,923,228	90,115,119
1905.....	44,112,910	20,646,925	112,718,476
1906.....	97,609,007	47,293,465	89,127,911
1907.....	146,700,425	30,394,681	104,954,070

* From official reports of the respective governments.

The remarkable increase in the exports of grain from these two competitive nations will be more fully appreciated when we remember that twenty years ago Canada exported less than one-tenth the amount she now does, while that of Argentina was so insignificant as not to be noticed in the statistics of the world's commerce. Now, how long will it be at this ratio of increase for these two nations to supplant our prestige so long enjoyed as the granary of the world? I may add, further, that what is here shown to be true about the increase of grain is likewise true about the meat and other food products of those nations.

The CHAIRMAN. The gentleman's time has expired.

Mr. BYRD. Will the gentleman from New York kindly yield me a few minutes more?

Mr. FITZGERALD. Yes; but I only have two minutes at my command.

Mr. BYRD. So much for the kindly affection our Republican friends have for their grain-growing friends of the West. Now, let me pass on and show what is being done to the cotton farmers of the South by this tariff-protected trust. Besides the amount of cotton-growing machinery chiefly shipped to Russia in order to develop her cotton-growing Asiatic possessions, we shipped cultivators, cotton planters, plows, and other agricultural implements ranging from \$300,000 to quite a million dollars each in 1907, to England, Germany, and other European countries for the development of their cotton-producing colonies in Africa and elsewhere, all of which was sold to them at a cost of 20 per cent less than to the cotton growers of the South, and it will be remembered that American cotton has been taxed out of Russia by her high tariff duty, and yet, notwithstanding this embargo against our chief agricultural product, this Government is permitting the United States harvester trust to tax the Southern cotton grower to build up his commercial enemy in other far-away countries.

To develop their cotton and other industries other nations are lending all the government aid possible. The Russian tariff is practically a bounty to her cotton growers. Germany subsidizes her industry by large appropriations from the royal treasury, and England is now spending many additional mil-

lions of dollars in raising the great Assouan dam on the upper Nile in order that the vast cotton fields of Egypt may be irrigated. She is also building railroads into the heart of Nigera in order that her cotton-growing subjects may have transportation facilities. Hence we at once see the injustice visited upon the farmers of this country and the favoritism shown to those of other countries by our Government.

It appears that we sold more agricultural implements at a reduced price to Russia in 1907 than to any other country. It also appears that one Mr. Medell McCormick is our ambassador to Russia, and that the exportations of our trust-protected goods have been increasing ever since he began to fill that important position, and it is further apparent that he is one of the owners and controlling factors in the United States harvester trust. Now, I do not charge him with prostituting his high office into a trade agency to exploit his trust-made goods, but I do say that all of these coincident facts make it highly probable that he is not altogether forgetting his trust interests at home while wining and dining in the imperial court at St. Petersburg.

The country has gone wild over the idea of saving the printing industries \$60,000,000 annually by repealing the tax on print paper and wood pulp, thereby destroying the paper trust, and I must say that I am heartily in favor of the proposed legislation, but how much better would it be for us to repeal the tax on agricultural implements, destroy that trust, and thereby save the farmers from twenty-five to fifty millions a year, as well as prevent their competitors in other countries from driving them out of the world's markets. Such legislation would fall like manna from heaven on every farmer in the Union. This reform must and will come; truth may be suppressed, but not destroyed. [Loud applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. BYRD. I am not through, but will have to close.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GREENE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 171. Joint resolution providing for assistance to the people of the storm-swept States of Georgia, Alabama, Mississippi, and Louisiana.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the message of the President this day delivered to the House be now read.

The SPEAKER pro tempore [Mr. GREENE]. The gentleman from Iowa asks unanimous consent that the message of the President be now read.

Mr. CLARK of Missouri. I think we had better go on with the debate.

The SPEAKER pro tempore. Does the gentleman from Missouri object?

Mr. CLARK of Missouri. I believe I do; yes.

The SPEAKER pro tempore. The gentleman from Missouri objects.

Mr. CLARK of Missouri. I will withdraw the objection.

Mr. FITZGERALD. Mr. Speaker, we have all of us read the message.

The SPEAKER pro tempore. Does the gentleman from New York object?

Mr. FITZGERALD. I ask for the regular order. If it is the regular order to read the message, let us read it.

The SPEAKER pro tempore. The gentleman from New York objects, and the committee will resume its session.

The committee resumed its session.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Chairman, I yield thirty minutes to the gentleman from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Chairman, the greatest practical question which confronts the people of the United States to-day is the large increase in the cost of living. This has now been going on for at least ten years steadily and rapidly, and it has reached a point so high that it has become a menace to the welfare of the great body of the American people, a menace which was serious enough last year and in the years preceding, but which has become increasingly so since the panic of last October, which threw out of employment probably more than a million wage-earners and salaried men.

The evidence of this increase in the cost of living, Mr. Chairman, may be had on every hand. It is known to every housewife, and to those in moderate circumstances with small incomes it is one of the daily and nightly family worries. We can examine it in a scientific manner, however, by looking at the

works of economic writers or at the market reports of the necessities of life, and perhaps the simplest and clearest way to get an idea of what it amounts to is to glance at the figures given in the Bradstreet review, published by Bradstreet's agency from time to time, purporting to give the index figures or average prices of the 107 leading commodities which people consume.

Ten years ago if we added up the total market prices of the leading 107 commodities, we found that they footed up \$6.11; so we say that the index figure of prices for the year 1897 was \$6.11. Footing up the total prices of those 107 commodities for the year 1907, just recently closed, we find that the index figures of the 107 commodities is \$8.90. Thus we find in ten years an advance from \$6.11 to \$8.90, or nearly 50 per cent. Embraced in these 107 commodities are all the necessities of life, all the articles which must be purchased and consumed by rich and poor alike. It would be difficult to say exactly in what proportion those necessities of life are included in this total of 107 commodities, but they embrace a very large proportion of the number in one form or another.

Mr. Chairman, to the family in affluent circumstances it is a matter of little moment that the necessities of life have greatly increased in cost. Such a family can look upon that marked increase with a good deal of indifference, but to those millions living on an income of, say, \$800 for the whole family that increase means a very serious matter, and we see the effects produced by that increase in a number of ways.

We see a reduction in the annual savings of the American people. We see an increasing number of children driven into the mines and factories to help out the family income, until legislators are devising ways and means to check that tendency. We see women who formerly were confined to household lives and household duties driven into commercial life in an increasing degree in order to eke out the family income. We see the standard of living reduced and people obliged to do with less and less year by year. In short this tendency has enormously intensified the struggle for existence among the great mass of the American people. It is the more remarkable because America has raised more food than it can consume. It has produced untold wealth from its mines and has manufactured in its factories more than its people required. In the face of this enormous productiveness of the country, such as the world has never known, and the prodigious increase in national wealth, we find our people facing a struggle for existence, very much the same as the people in older countries have faced in times past because of the increased cost of living.

Mr. Chairman, what has caused this increase in the cost of living? There has been one great cause that is world-wide, natural, and not injurious. It is the increase in the production of gold and in the supply of money. Naturally as that increase of gold has come into the channels of commerce it has fallen in value, which means that commodities have risen slightly, but that cause is world-wide and not injurious. In other countries it has not been a serious matter, but in our Republic alone of all the nations that natural increase in the cost of living has been tremendously aggravated by the other increase in the cost of living, which is not natural and which is due to the devices of selfish man. If I were to designate it in a single word, I would say that the cause of that increased cost of living to the American people is the trusts.

Heretofore upon this floor I have at times declaimed against trusts which are promoted and sheltered by the tariff. I have shown that they have greatly raised the prices of their commodities to the American people, who enacted a law for their benefit. I have shown that they have been selling their products in foreign lands at lower prices than they sell them in the United States. I might go on now to show the baleful effects produced upon the American people by the tariff on lumber, which has permitted the lumber trust to increase in ten years the cost of lumber to the American people 70 per cent, a cost which we have felt in the increased cost of homes to the home builder and of rents to the rent payer. I might dwell upon the steel trust, which, protected behind a high tariff, has raised the cost of its products to the American people, so that it has increased the cost of every home that was built, has raised rents, added to the cost of raising crops on all western farms, increased the cost of all our American railroads, and thus affected freight and passenger rates.

But to-day, Mr. Chairman, I am to speak of a trust which is not the child of the tariff. I am to speak of the meat trust, and I am doing it now, Mr. Chairman, because I feel that I may be denied the opportunity to speak under the rules of this House when I call up for a vote the resolution which I introduced some weeks ago asking the Secretary of Commerce and Labor to lay before this House statistics showing the prices of meats and live stock in the great markets of the United

States during the last two years. I had hoped, Mr. Chairman, when I called up that resolution before the House, to be given an opportunity to say something on the subject, but I realize that under the rules of this House it is quite possible that I may be shut off from saying anything by a partisan motion to lay my resolution on the table. And so, Mr. Chairman, under the license of general debate I am to say something of the subject of meat prices and live stock prices in the United States to-day, and review briefly the history of the failure of this Administration to bring the people relief in that respect.

On page 184 of one of the bulletins issued by the Bureau of Labor in July, 1907, I find a computation of the changes in the prices of various necessities of life during the last few years. The author of this official bulletin has reported the average price of various products over a period of ten years and then in the year 1906 indicated in what way these prices have changed. Taking the average prices that prevailed on certain packing-house products for the ten years ending with 1899 this Government official shows there has been an advance, as follows:

	Per cent.
Salt pork or bacon	50
Fresh pork	38
Chickens	29
Lard	28
Hams	27
Mutton	24
Veal	23
Beef	16
Eggs	34

Now, Mr. Chairman, those increases represent the price of those products as they stood in the year 1906 compared with the average of the ten years ending with 1899. They represent an enormous increase and they are a fair index of what has been wrought upon the American people by the great combination popularly known as the "beef trust."

This enormous increase we found existed in 1906. Since then in most cases further advances have been made, and to-day retail meat prices paid by the consumers of the United States stand at the very highest point. Last October a panic struck the country which was followed by depression, and there was a considerable slump in the prices of many commodities. Among other things there was a great temporary decline in the price of live stock. There was not, however, a corresponding decline in the price of the products of live stock which come from the packing houses of the United States. The packers actually profited by the situation.

Right at this point, Mr. Chairman, I desire to digress for the purpose of calling the attention of the House to the change which has come over the policy of this Administration toward the beef trust. Let me recite some recent history. Beginning even back of the year 1902 there were evidences of a gigantic combination among the great packers of the United States to raise the price of their products and depress the price of live stock which they bought. The complaint became so general and the outcry so loud that the Administration was forced to take notice, and in May, 1902, caused a petition for an injunction to be filed in Chicago to restrain the packing house companies of the United States from combining to restrain trade in violation of the Sherman law. That case went to trial, proof was introduced, and the result of it was that the presiding judge issued a permanent injunction restraining these six great packers from pursuing the policy which they had before pursued under which they bought live stock at their own conspiracy price in the great markets which they control and sold their products at a price secretly agreed upon. The case was brought to the Supreme Court of the United States, and in 1905 that tribunal sustained the decision of the lower court and a permanent injunction was granted. Simultaneously, however, with these judicial proceedings other proceedings had been going on. This House had voted what was called "the Martin resolution," instructing the Department of Commerce and Labor to investigate the packing-house interests and the beef combine.

Mr. Garfield, then the head of the Bureau of Corporations, went to Chicago to make this investigation, or at least to start it. He promptly fell into the trap set for him there. He walked into the lion's den, and fell into the hands of Mr. Dawes, who was the banker of the packers; Mr. McRoberts, one of their number, and Mr. Louis Krauthoff, one of the most astute, accomplished, and smooth special manipulators of the packers' combine. The history of the rise of this young man, Louis Krauthoff, reads almost like a romance. He began life, I believe, out in Kansas City as the son of a saloon keeper and his first duties on earth were to clean out the saloon in which his father did business. To-day he is reputed to be a millionaire, lives in New York in apartments for which he pays a rental of \$60,000 a year, and his greatest achievement in life

is having taken Mr. Garfield into camp and through him put the Government into the hands of the packing-house trust of the United States. [Applause on the Democratic side.] Mr. Garfield went to the great packing center of Chicago and, as I said, fell into the hands of Mr. Dawes, Mr. McRoberts, a packer, and Mr. Krauthoff. They dined him and wined him and they gave him the information which they wanted him to have and which he used in making up the ridiculous report which was published in 1905.

This Garfield report, published by him after he had made this so-called "investigation" and had taken the information that the packers chose to give, came before the country as a sort of apology for the existence of the combination. It declared that the profits packers made were reasonable; even went so far as to figure the profits of cattle killing at 99 cents for each steer that was killed and turned into packing-house products. This estimate was so preposterous and the report so apologetic that the country was amazed and disgusted at the outcome of this great investigation. Every man who ever had anything to do with the packing-house interests and every man who had opportunity to observe the great packing-house markets knew that the profits have been so enormous as to make these packers multimillionaires in the span of a short lifetime.

Modern packing is only about twenty-five years old, and yet to-day six of the great packing-house concerns in the United States have a capital of over \$100,000,000, practically all made in a few years out of the business.

This great capital, however, hardly expresses the magnitude of the six great packing-house concerns that dominate the live-stock market and provision supply of the United States. Perhaps a better idea is gained by looking at the volume of their business. They take in each year almost as much money as the National Government collects in taxes. One of them alone does a business of over \$200,000,000 a year. They not only have packing houses, ice houses, and hundreds of branch houses, but they have 40,000 refrigerator cars, several small railway systems, banks, trust companies, electric car lines, stock yards, and other enormous investments. They control the provision market and are rapidly getting control of the poultry, egg, butter, fruit, and vegetable supply. Their wealth and their profits are made by dictating not only the prices of what they sell, but of what they buy.

Now, let us see about Mr. Garfield's estimate of 99 cents profit on each head of cattle slaughtered.

I caused a friend of mine, well posted in such matters, to make for me a statement of what becomes of a thousand-pound steer at the South Omaha live-stock market. Such a thousand-pound steer at the present market price will be purchased by the packing house for about \$64 to-day. Here is what such a steer will yield:

The steer will dress 58 per cent meat, 580 pounds, at 10 cents per pound	\$58.00
Tallow, call fat, ruffle fat, and trimmings, 100 pounds, at 6 cents	6.00
Liver, 10 pounds, at 5 cents	.50
Heart, 3 pounds, at 3½ cents	.105
Tongue, 4 pounds, at 11 cents	.44
Hide, 70 pounds, at 8 cents	5.60
Feet	.15
Head	.10
Brains	.05
Bones	.10
Tripe, 5 pounds, at 7 cents	.35
Blood, fertilizer, 22 pounds, at 1½ cents	.264
Casings, bungs, middle, and rounds	.45

Total.....\$72.109

Cost of killing, dressing, and chilling one beef, 35 cents.

Thus, Mr. Chairman, we have there, made up by a practical man, the products of a steer converted into modern packing-house products; and the cost of killing, dressing, and chilling is only 35 cents. We have a \$64 steer converted into \$72.10 worth of products, and yet Mr. Garfield has come before the country with the claim that the profit is only 99 cents upon each steer.

Now, Mr. Chairman, I would be the last man to discredit the great packing-house industry of the United States. In my district at South Omaha there has been built up the third largest live-stock center of the world. Last year the packing houses of that city butchered practically 800,000 head of cattle, over 2,000,000 head of hogs, and 1,000,000 head of sheep. I believe it safe to say that 10,000 men, women, and children are employed there in that packing-house industry. I would like to see that industry prosper. But I do believe that the time has come when the people of the United States are entitled to protection. I do believe that the time has come when the Administration should renew the efforts which it abandoned absolutely two years ago. Why this silence and indifference that has followed after that furor of rage and indignation when the immunity bath was given? Why was it that the Administration of the

United States after bringing those men into court and forcing them to admit that it was in possession of evidence which might send them to the penitentiary, abandoned any further effort to protect the people from their exactions? Has it been because the price of live stock or products has changed? Why, no, Mr. Chairman; not changed for the better. In 1906, two years ago, when the Administration abandoned these attempts, beef was selling at wholesale at the packing houses at a cent a pound less than it is selling now. The cattle were practically the same price. And, Mr. Chairman, let us glance at the figures of the last year, to show the power of this combine.

On the 1st day of April, 1907, the Chicago price of cattle according to Bradstreet's was \$6.60. On the 1st day of April this year the Chicago price of cattle is \$7.45, an advance of 13 per cent. And I want to say that that advance is justified. There is a reason why cattle are selling at a higher price this year. It is because of the scarcity. When the panic struck this country, in October last year, it became impossible for cattle feeders to borrow the necessary money to feed their cattle. They became alarmed, and many did not buy to feed. The result is there is a smaller supply of cattle in the country ready to market this year, and the advance of 13 per cent is reasonable. What has happened to the price of provisions? What has happened to the product that is made from these cattle by these packing houses? Has that advanced 13 per cent? Yes, Mr. Chairman; according to the figures published by Bradstreet's this month, the price of beef at wholesale, the whole carcass, sold at once, has advanced 29 per cent, as against an advance in cattle of only 13 per cent. Thus, while all the business interests in the country are suffering, if not prostrate, this beef combine not only maintains but actually raises its price to the wholesalers, and that is why the retailers are compelled to largely advance their price to the householders of the land.

So I say, Mr. Chairman, there is no reason why this Administration should for two years have abandoned the American people to the grasp of the beef trust.

Mr. Chairman, I know it is not an easy matter to prove the existence of a trust; but even if we take Mr. Garfield's statement alone, we find that in fourteen of the leading markets of the United States these allied concerns pack and slaughter 90 per cent of the cattle that are brought to those stock yards. We find that one of those concerns, the National Packing Company, is owned by three others—Armour, Swift, and Morris. While it is claimed that there are six packing concerns that divide up the earth and control these products, there are actually only five. It is reported on what seems to be such persistent and reliable authority that it is hard to doubt it that once every week representatives of these packers get together—I think it is Thursday in most markets—and they fix the price that they will pay during each day of the following week for all the cattle, sheep, and hogs that come to market and the prices that they will charge for provisions to the wholesalers and retailers with whom they deal. This is done week after week; yet this Government does not make, seemingly, any effort to look into this matter, although prices rise, living expenses increase, and people complain.

I telephoned to the Bureau of Corporations the other day, asking whether there was any additional information received since the Garfield report was issued, and was told substantially there was very little. Yet the Bureau of Corporations, as Judge Humphreys said, was created for the purpose of giving information to Congress, and great appropriations are made by Congress every year for the purpose of maintaining that Bureau. We heard here a few days ago a rather heated controversy between the gentleman from New York [Mr. SULZER] and the gentleman from Illinois [Mr. MANN] as to who was entitled to credit for having originated the Bureau of Corporations. It has occurred to me since that time that if I were in danger of being held responsible for the creation of the Bureau of Corporations I should endeavor at once to disclaim responsibility, judging by results.

Mr. HARRISON. Will the gentleman not admit that the Bureau of Corporations may be very useful to the Administration around campaign time, when they want to shake the plum tree?

Mr. HITCHCOCK. Well, I will say to the gentleman that there is a growing suspicion that such is the case.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SMITH of Iowa. I yield twenty minutes to the gentleman from Ohio [Mr. GOEBEL].

Mr. GOEBEL. Mr. Chairman, when we come to the reading of the bill now under consideration under the five-minute rule we shall again encounter an amendment limiting or re-

stricting the appropriations for the various Federal Homes for Soldiers, the object of which is to prevent the reestablishment of what is known as the "beer hall." There are also numerous bills pending in this House looking to prohibition or restricting the sale of intoxicating beverages and otherwise depriving the individual of the use and enjoyment of the same.

It is not my purpose at this time to discuss the amendments or the provisions of the various bills, nor point out the legal or constitutional provisions which they violate. In the brief space of time allotted to me I desire to make some observations, however, upon the underlying principle of government which is involved in this kind of legislation.

Any legislative act that undertakes to regulate our eating, drinking, or the expenditure of our private funds is sumptuary in its character and affect the personal liberty and rights of the individual. Mill says:

That the sole end for which mankind are warranted individually or collectively in interfering with the liberty of action of any of their number is self-protection.

The only purpose for which power can be rightfully exercised over any member of a civilized community against his will is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He can not rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because in the opinion of others to do so would be wise or even right. These are good reasons for remonstrating with him or reasoning with him or persuading him or entreating him, but not for compelling him or visiting him with any evil in case he do otherwise. To justify that, the conduct from which it is desired to deter him must be calculated to produce evil to some one else. The only part of the conduct of anyone for which he is amenable to society is that which concerns others. In the part which merely concerns himself his independence is of right absolute. Over himself, over his own body and mind, the individual is sovereign.

Every one—

Says Kant—

may seek his own happiness in the way that seems good to himself provided that he infringe not such freedom of others to strive after a similar end as is consistent with the freedom of all according to a possible general law. If my action or my condition generally can coexist with the freedom of every other according to a universal law, anyone does me a wrong who hinders me in the performance of this action or in the maintenance of this condition.

Herbert Spencer writes:

Every man is free to do that which he wills provided he infringes not the equal freedom of any other man. The liberty of each is limited only by the like liberties of all.

These rights are fundamental, and whenever a free government suspends them and thereby seeks to regulate the conduct of the individual it violates a fundamental principle upon which it is founded. An overindulgence of the particular act while in the exercise of this right is at most a "vice." Vices are simply errors which a man may make in his search after his own happiness. It may be an immoral or evil habit, practice, or conduct in which he indulges, resulting from an impure or degrading appetite or passion, but vice is not a crime. It becomes mala prohibita when by statute you make it so. Widely differing from other offenses that are crimes mala in se, vice is a chronic and habitual transgression of the moral law and is social in its origin, progress, and aggravation.

Every voluntary act of a man's life which affects him is either in accordance with, or in conflict with natural laws of matter and mind upon which his physical, mental, and emotional health and well-being depend. It either gives him happiness or unhappiness. No one else knows or feels or can know or feel as he knows and feels the desire and the necessity, the hope and the fear and impulse of his own nature or the pressure of his own circumstances. It must then be left for each person to settle that question for himself. I am a firm believer in individual freedom. There must be no restraint upon the individual until his act injures other persons. His rights must not be withheld because social good may in an uncertain contingency be harmed.

If prohibition ever becomes the common basis of social life, it must come through the agency of the individual. To my mind every legislative act enacted to forward it would not hasten, but rather retard it. What statutory law will curb the appetite of man? Appetite is of divine creation. Life is itself chained to it. The aim of man is to live. When you dam a stream, it is not stopped. The current ceases as you look upon it, but while the source remains the stream gathers new force and cuts new channels, made even more dangerous by the dam you have interposed.

As legislators let us get this principle fixed in our minds—that the individual is not accountable to society for his actions in so far as these concern the interests of no person but himself, but whenever his actions are prejudicial to the interests of others, the individual is accountable and may be subjected either to social or to legal punishments when one or other is requisite to the protection of society. Underlying this principle is liberty of action. The voluntary act or choice of an individual is evidence that what he so chooses is desirable or at least endurable to him, and his good is best provided for by allowing him to take his own means of pursuing it. On the other hand, society has its remedy. If the individual by his conduct displeases us, we can express our distaste and we may stand aloof from him, reflecting that he bears the whole penalty of his error. I admit that the mischief which a person does to himself may sometimes seriously affect those nearly connected with him, and in a minor degree society at large, so that when a man, through intemperance or extravagance, becomes unable to pay his debts, or having undertaken the moral responsibility of a family becomes, from the same cause, incapable of supporting or educating them, he ought to be punished, not for drunkenness or extravagance, but for the breach of duty to his family or creditors.

If the resources which ought to have been devoted to them had been diverted from them for the most prudent investment, the moral culpability would have been the same. Again, is there any reason why our existence shall be constructed on one or some small number of patterns? When a person who possesses a reasonable amount of common sense lays out his mode of existence, should society interfere? It may not be the best mode in itself, but it is his own mode. We are not all alike. Different persons require different conditions for their development. Things which are helpful to one person are hindrance to another. The fact that people have diversities of taste is reason enough for not attempting to shape them all after one model.

In the early history of the world it may have been necessary to prohibit one from possessing a house or furniture which was the work of more elaborate implements than the axe and saw, or against the expensiveness of female attire, or that no fowl should be served but a single hen and that not fattened, or to limit the cost of funerals. You will remember that the Opian law, enacted before the birth of Christ, provided that no woman should possess more than half an ounce of gold or wear a dress of different colors or ride in a carriage in the city or within a mile of it except upon occasions of public religious ceremonies. This law also limited the sums to be spent on private entertainments. Tiberius caused a decree to be enacted by the Senate prohibiting the use of gold vases except in sacred rites, and also prohibiting the wearing of silk garments by men.

Coming to a later period, we find that Charles V of France forbade the use of long-pointed shoes, and then under later kings the use of gold and silver embroidery, silk stuffs, and fine linen was prohibited. Laws were enacted to restrain undue expenditures and to regulate the dress of the several classes of people. In the reign of Edward II a proclamation had been issued against the "outrageous and excessive multitude of meats which the great men of the kingdom had used and still use in their castles," as well as "persons of inferior rank imitating their example beyond what their stations required and their circumstances could afford." Two courses of flesh meat were allowed to be served upon their tables. Servants of gentlemen, merchants, and artificers were allowed only one meal of flesh or fish in the day, and that the other food should consist of milk, butter, and cheese. These sumptuary laws had evidently their origin in and were dictated by financial necessities.

Later on it may be said that sumptuary laws were founded upon moral considerations, but in the sixteenth century the legislature ceased to be guided by moral consideration and began to be influenced by religion, partaking of commercial and police character, and then the so-called "mercantile or protective system" came into vogue.

But at all times it was found that sumptuary laws could not be enforced and government soon ceased the fruitless efforts and permitted luxuries and taxed them. It is sometimes maintained that a heavy tax on liquors would prohibit their use. I doubt it. True, every increase of cost is a prohibition, but only to those whose means do not come up to the price, and to those who do it is a penalty laid on them for gratifying a particular taste. Now, I do not mean to say that liquors ought not to be taxed. I justify it upon the ground that of all commodities liquor can best be spared by the consumer, and hence the State and Federal Government is justified in

imposing a tax to the point which will produce the largest amount of revenue without destroying the industry. [Applause.]

Recurring for a moment to sumptuary laws in the early history of the world, what people in this enlightened country would tolerate such laws at this day? Undesirable habits and wasteful expenditures should at all times be discouraged by every man, but action thereon belongs more properly to the spiritual than to the temporal power. At least it ought to find no lodgment in any legislative body.

If I were to transgress from things earthly to things spiritual I would say that our Saviour at the marriage feast at Cana made wine for the use of his guests. He visited the Pharisees and attended their feasts, where wine was lavishly used, and he used it at his own home and at the Passover. On an occasion, speaking to the multitude, he said unto them:

Not that which goeth into the mouth defileth a man; but that which cometh out of the mouth, this defileth a man. (Matt. 15, v. 11.)

Now, I might go on and quote innumerable passages from the Bible to illustrate that prohibition of intoxicating liquors was not favored by our Saviour. I prefer to discuss earthly matters at this time.

In a free government sumptuary laws are in contravention of the rights and liberty of the individual. Whenever by force of law it is sought to rectify "vice," that government becomes the abettor of persecution, the friend of hypocrites, and the ally of tyranny. You must bear in mind that the laws of nature are supreme, and laws enacted by man in opposition thereto would be unnatural and untenable.

The issues involved form the substance of a great reform, and it is not difficult to appeal to a morbid sentimentalism and receive the applause of the multitude. I admire the courage and convictions of such men as Bishop Webb and Bishop Grafton and the distinguished Cardinal Gibbons, who, on January 8 last, in an interview, published in the Baltimore Sun, said:

I have always been in favor of high license and have made utterances to that effect. In a community as large as Baltimore I do not consider absolute prohibition practical, for there are so many ways of getting around legislation. But the high liquor license I believe to be the proper solution of the problem.

To begin with, the revenue will be guaranteed by the increased price, despite the fact the number of saloons will be greatly decreased. The high license will do away with the small grog shops, that throw out many temptations for the poorer class of people, and with the number of saloons decreased, the police will be better able to enforce the laws. When the number of saloons is diminished the police will be better able to keep a much closer watch on all of them.

So, with the revenue assured and the advantage placed in the hands of the police, many dangers can be guarded against and many done away with.

But, Mr. Chairman, extremists will continue to agitate absolute prohibition, and they will not be contented until our statute books contain complete sumptuary laws and have taken away effectively every personal liberty of the individual, and then governments will absolutely control and regulate our eating, drinking, and the expenditure of our private funds. I would then suggest that Satan be bound and restrained from again seducing men to sin, and it occurs to me that at last millionaires will have triumphed. [Applause.]

Mr. FITZGERALD. I yield five minutes to the gentleman from Ohio.

Mr. ANSBERRY. Mr. Chairman, I regret very much the little incident that happened this afternoon between two of my colleagues, both brave soldiers in the civil war—General KEIFER and General SHERWOOD. I regret it for more than one reason; first and foremost, however, because I am in favor of the Sherwood bill, because I believe that the bill introduced by the gentleman from Ohio [Mr. SHERWOOD], whether you call it a "pension bill" or whatever you call it, which seeks to make up a roll of soldiers of the late war who served at least eighteen months, and gives them a dollar a day pension, is a meritorious measure, and, while not an ideal pension bill, is a step in the right direction. These two gentlemen, both of them now past 70 years of age, answered the first call of President Lincoln for troops within a day or two after the issue of that call.

Both entered the war, I believe, as privates; both rose to high rank; and I say, in fairness to their comrades, in justice to their comrades, that the voice and influence of both should be exercised in this Chamber, not in bickering and in quarreling, but in support of measures calculated to advance the failing fortunes of the men who served under them; in support of the men in the ranks who did not rise so high as they; in support of a measure giving to these men at least a portion of their due. [Applause.] Now, gentlemen, on one side I find one of my friends [General KEIFER] trying to convince us that the bill introduced by General SHERWOOD is not a pension bill.

Mr. KEIFER. Have you got a copy of it?

Mr. ANSBERRY. Yes; I have. I am a member of the Committee on Invalid Pensions. That bill has been considered by the Committee on Invalid Pensions, and I say that the bill makes provision for giving a pension of a dollar a day to every soldier who served one year and six months in the civil war, and if that does not make it a pension bill, I do not know what would.

Mr. KEIFER. Oh, no.

Mr. ANSBERRY. I can not yield to the gentleman. I will say further I am here trying to defend General SHERWOOD from the unwarranted and unfair assault made upon his integrity by my colleague from Ohio, General KEIFER, and, if necessary, I would rise in this House or anywhere else to defend General KEIFER or any other soldier from assault, no matter from how high a source it came. I say these two men should not be here, jealous of one another's influence in behalf of the old soldiers, their comrades in arms. I invite General KEIFER to cooperate with his colleague, General SHERWOOD, to further the interests of these soldiers of the civil war. It is a remarkable spectacle that here in this House, the Republicans being in the majority and daily boasting that they can pass or repress any legislation they choose, and it is a well-known fact that the old soldiers have for many years been that party's most valuable asset, yet the old soldiers of the civil war must look to this side of the Chamber for their champion; on the other side of the Chamber the other day, when the steel trust was attacked, a gentleman from Pennsylvania quickly rose in his place and defended that trust.

The trust that has a monopoly of the print paper and pulp wood was attacked, and a gentleman—in fact, numerous gentlemen—on the other side rose in their places and defended that trust. To-day an old soldier of the civil war, who went in in 1861 and who stayed in until the close of the war in 1865, who rose from the humble position of private to be a colonel and brevet brigadier-general, was attacked most viciously because of a measure he had introduced in behalf of the old soldiers of the country, a measure looking to a substantial increase in pensions of those soldiers; was ridiculed and laughed to scorn, his petitions flouted and misconstrued by one who should have been aiding rather than deterring such measures. Did any one on the other side rise up to defend either General SHERWOOD or his bill, or to suggest that while possibly there were mistakes in the phraseology or punctuation, still it was in the main correct in principle? And certainly that is all that General KEIFER can find fault with in this measure. That is his reason for insisting that it is not a pension bill; mistakes, if any, in form, not in substance.

Mr. KEIFER. Will you allow me to hand it to you, so that you may read it?

Mr. ANSBERRY. Not in my time. If that bill is incorrect in phraseology, take the time you have and correct it. Surely you are a friend of the old soldiers?

Mr. KEIFER. Certainly.

Mr. ANSBERRY. Surely you want to see these men who served a year and six months in behalf of the old flag getting a dollar-a-day pension. Yet, instead of joining hands with this other old general, you, General KEIFER, stand back and poke fun at his measure.

General KEIFER is a lawyer; General SHERWOOD is not a lawyer. He is engaged in other lines of business. Perhaps he can not draw a measure of this character under the strict technical rules that apply in this House. Perhaps he can not draw a bill as well as this lawyer soldier, but at any rate, if he can not, the gentleman on the other side [General KEIFER] should come to the rescue; and if not to the rescue of General SHERWOOD, then to the rescue of the old soldiers of the country, who have a right to expect this dollar a day because of services rendered in time of stress to the country, and he should not spend his time in carping criticism.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I yield two minutes more to the gentleman.

Mr. ANSBERRY. I say that the gentleman on the other side should not spend his time in carping criticism. If the measure is ineffectual because of defective phraseology, let him correct it. Let him come down to the Committee on Invalid Pensions. I assure the gentleman they will give him plenty of time to offer a substitute for this measure, looking to the end that General SHERWOOD has in view, on which he has spent not only the last six months, but the last seven or eight years of his life, looking not particularly after this special bill, but looking after the interests of the old soldier. I have personal knowledge of the fact that this measure was submitted to twelve different organizations of veterans of the civil war before it was introduced by General SHERWOOD, and met with their approval. True, these

men may not have thought it was technically correct, but the gentleman from Ohio [Mr. KEIFER] spoke of the shadows, not the substance.

If he did not intend to do that, if he is a friend of the old soldier, why did he wait until the closing days of the session to point out an error in phraseology or punctuation? Why did he not rise in his seat long ago and offer a measure correcting the measure that General SHERWOOD introduced and for which he has waged such a hard fight? He says there is politics in this proposition. I take it if there is it is not on this side, but on the other. Not long ago, in answer to a question propounded by me in this House, the gentleman from Ohio, General KEIFER, rose on his feet here and said that he would follow the Republican party, no matter what platform it made, no matter whom it nominated. General SHERWOOD is an independent in every sense of the word. He has been elected to office by the Republicans; he has been honored by that party when a member of it. He has been honored by the Democratic party, and he was an honor to it. He has been honored by the Independent party. He holds a seat in this House as an Independent. He was elected from an Independent district, and if there is politics in this question I would rather follow the Independent than the man who in this House brazenly says he would follow the Republican party, no matter what its platform and no matter who its candidate. [Applause on the Democratic side.]

Mr. FITZGERALD. I yield five minutes to the gentleman from South Carolina [Mr. AIKEN].

Mr. AIKEN. Mr. Chairman, at the opening of the session I introduced a bill (H. R. 3983) proposing to limit the effect of interstate commerce as applied to the shipments of whisky from one State to another.

The text of the bill is as follows:

A bill (H. R. 3983) to limit the effect of the regulation of commerce between the several States and Territories, as to certain commodities.

Be it enacted, etc., That all intoxicating liquors, including ale, wine, and beer, shipped from one State or Territory into another State or Territory shall, immediately after crossing the boundary line of the State or Territory in which its destination is located, and before delivery to the consignee, become subject, in every respect, to the laws of such State or Territory which have been enacted therein in the exercise of police powers, just as though said liquors had been produced in said State or Territory; and the interstate-commerce character of such shipments of intoxicating liquors shall terminate immediately after such liquors have passed into said State or Territory of their destination and no exemption shall be made of original packages of intoxicating liquors shipped in any form or manner: *Provided*, That liquors shipped entirely across a State or Territory, that are not to be delivered therein, shall not be subject to the provisions of this act, nor shall this act affect the right of common carriers to transport intoxicating liquors from points without a State or Territory to any point within that State or Territory.

Sec. 2. That any railroad company, express company, or other common carrier, or other person who shall, in connection with the transportation of spirituous, vinous, malt, and intoxicating liquors of all kinds from one State or Territory into another State or Territory, collect on, before, or after delivery, from the consignee or other person, the purchase price, or any part thereof of such liquors, or who shall in any manner act as the agent of the consignor or seller of such liquors for the purpose of selling or completing the sale thereof, saving only in the actual transportation and delivery of the same, shall be subject in so doing to all the police powers of the State or Territory into which such liquors are transported and delivered; and for this purpose in all cases of the sale of spirituous, vinous, malt, and intoxicating liquors of all kinds, in interstate commerce, where the same is sold "collect on delivery" the place of delivery shall be deemed and held the place of sale.

Neither the idea nor substance of this bill is new, but like the several others of its nature that have been introduced at previous sessions its purpose is to supplement and make effective the Wilson Act.

The great obstacle in the face of any bill affecting interstate commerce is its constitutionality. In that particular, in so far as this body is of itself capable of judging, there is no doubt as to my bill. Every point covered in it has been fully covered and favorably reported to the House by the Judiciary Committee in other bills, amendments, or suggestions that have previously been before that committee on this subject. So full and complete was the committee's report on Mr. LITTLEFIELD's bill that it seems to be conclusive of the matter. The way being apparently clear for legislation on this subject, it is my purpose to try to bring to the attention of the House the necessity for that legislation.

The question of the method of controlling whisky has no place in this discussion, nor do I propose to question the right of the individual to use it, where he buys it legally and uses it in moderation. But I do say that when a majority of the good citizens of a State declare for prohibition, or for the dispensary, if you please, they have a right to control their policy, and not have it dictated by the nonresident liquor dealer of Baltimore, St. Louis, or Cincinnati. And I will go a step further. They ought to have the right to control their liquor policy without interference by the National Government.

It is the State that is responsible for the morals of its citizens. It is the State that must bear the odium of crime. It is the State that must be taxed for the suppression of crime. Then who will deny to the State the right to pluck up by the roots the plant whose branches are laden with the seeds of crime? To such an extent has interstate commerce been protected by interpretations of the Constitution that it has set at naught the laws of the States enacted in behalf of sobriety and good citizenship. How much longer will the Federal Government defeat the will of the States in their reasonable demand for protection against the liquor barons?

I yield to no man in the desire to promote trade between the States in commodities that add to the wealth and comfort of the people, but whisky is no such commodity. The Federal Government, by putting a tax of more than four times the cost of production on a gallon of whisky, has placed it under an unmistakable ban. It has by this act declared it to be a noxious substance, dangerous to its citizens, and to be dispensed only under its license. How inconsistent, then, to hamper with technical barriers the Commonwealth that would stay the use of whisky.

Clearly Congress recognizes the right of a State, in the exercise of its police powers, to prohibit the traffic in whisky between its own citizens. Why then does it stamp with its approval transactions between a citizen of a State and a non-resident that it recognizes as illegal between citizens of the same State? The right of a State to exercise police powers in matters affecting the welfare of its citizens is older than any constitutional right protecting interstate commerce. It was not surrendered by the States in their original compact, and its potency was reaffirmed in the tenth amendment to the Constitution.

I am willing to accord to every nonresident the right to free and untrammelled commerce in every article of traffic that is recognized as legitimate by my State, but I emphatically deny that he has rights superior to mine in my own State.

Under this quibble of protecting interstate commerce, this body and the courts—the former by silence, the latter by evasion—have become party to a crime against the weak and helpless of society. See you not the beseeching, careworn face of the impoverished widow? Hear you not the piteous cry of the orphan; yea, and even the despairing protest of the enfeebled drunkard himself? These should "plead with you like angels, trumpet-tongued." And yet, Mr. Chairman, year by year bills have been presented here proposing to limit the effect of interstate commerce, bills that a majority of the members of the Judiciary Committee have declared to be constitutional—and they have invariably been put in cold storage.

Far out in the ocean, east of the West Indies, the warm, perfumed breezes of the Tropics meet the colder air of the north. Here is the home of the embryonic cyclone, which, growing with its progress, reaches the Gulf States and sweeps across the Atlantic States with such terrific effect.

Far out in the great sea of human hearts, beyond the ear of this august assembly, the appeal of the humble temperance advocate has been caught up by the masses. It has swept over State after State, making its way to this body, and it is here. It is the voice of the tempest that calls to you.

During the year 1906 there were consumed in the United States: Distilled spirits, 127,754,544 gallons; wines, 46,485,223 gallons, and malt, 1,699,985,642 gallons. Averaging the cost to the consumer of whisky at \$3, wine at \$2, and malt at 50 cents per gallon, the sum makes a total of \$1,326,226,899.

Considering that the higher grades of whiskeys and wines are retailed at excessive prices, and that much of the cheaper whisky is not dignified by the Government stamp, it is safe to say that a billion and a half dollars would not cover the annual consumption of whisky in the United States. This sum is equal to nearly twice the annual cost of running the Government, in its every department. The figures are staggering.

What are the returns from this stupendous waste of wealth? It is more effectually wasted than if consumed by fire. Hear them: Wasted and enfeebled manhood, crushed and bruised womanhood, degenerate and beggared childhood.

In its wake may be seen the eye of sorrow, the heart of woe, the life of desolation. It is the thief of the substance of the home, the seducer of the affections of the home, the murderer of the protector of the home. It is the worm at the root of the plant, sparing neither the tender shoot nor the fruiting stalk. "It biteth like a serpent and stingeth like an adder."

That these are no empty words, let us see what the records show. In 1,000 deaths during the year 1900 of persons between 30 and 34 years of age, 254 were from alcoholism—133 men and 121 women. Between the ages of 35 and 39 years there were 372 deaths from this cause—190 men and 182 women.

Pause for one moment and think just what this means. Out of 100 persons dying in the United States, at the age of 36 years, nearly 40 go unshriven to a drunkard's grave. Truly this is a text for the moralist, but its broadest and most practical application is in uncovering the path of right to this body. State after State has risen in its might to check this waste of wealth and more than waste of human life. It is "the voice of the people, it is the voice of God."

I said at the outset that I would not argue the constitutionality of this bill at length. I will only review briefly the progress that the interstate phase of the liquor question has made.

In *Leisley v. Harden* it was held that a man had a constitutional right to sell liquor in original unbroken packages, despite any State law to the contrary. The Wilson law, passed subsequent to this decision, which was declared to be constitutional, divested original packages of liquor of this interstate-commerce character upon arrival within a State. But a strained construction of the language of that law interpreted "arrival within a State" to mean "after delivery to the consignee," and this is the present law. So far as the right of the consignee to receive is concerned, it makes no difference, under the Wilson law, whether the goods are intended for personal use or for sale; they must be delivered. The proposed law does not interfere with the right of a citizen to make a bona fide order of whisky from another State for personal use. The effect of the law would be simply to permit the State to regulate, control, or prohibit the sale of whisky within its borders without the trammeling effect of Federal interference. Whether the policy of the State be high license, local option, dispensary, or prohibition, is a question that neither Congress nor the Federal courts need be concerned about.

The State has not parted with its police power, and the prohibition of the manufacture and sale of whisky being the legitimate exercise of that power, interstate commerce law should relinquish all protection to this commodity immediately after it crosses the border line of the State of its destination. It is little short of exasperating to the citizen of a prohibition State to have liquor sold indiscriminately within its borders from without the State. And yet this is just what the Wilson law permits. Liquors have been shipped by the consignor outside of a State to himself as consignee within that State. Again, it is a common practice to ship liquors to a fictitious person and instruct the railroad or express agent to sell them to any person who will pay the cost of the whisky and the charges of transportation. But the most common method of evading prohibition laws is through an agency. The nonresident dealer establishes agencies over the State. The agent solicits orders and, in many cases, actually delivers the goods in person. Of course the money is paid to the nonresident dealer, and so the State's laws are set at naught.

Now, Mr. Chairman, this Congress owes it to the law-abiding citizens of the various Commonwealths—it owes it to itself—not to be party to the shameless practices that are in vogue for the furtherance of immorality and degeneracy. Mere knowledge of crime before its perpetration is held in the criminal courts to incriminate the person who had the information and did not communicate it. What, then, must be said of him who would aid and abet the criminal? And yet this is just what we are doing. By our persistent refusal to brush away the technical barricades, under shelter of which the nonresident dealer can debauch the citizens of a prohibition State, we aid and abet him in his nefarious work.

Inaction can no longer be excused on the threadbare ground of unconstitutionality. Time and again the Judiciary Committee has brought this question squarely up to us with a favorable report. It is the custom of this body, as a rule, to accept the finding of the committee to which a bill is referred. In respect to our own committee, in justice to the sovereign right of a State to protect the interests and guard the morals of its citizens; in pity for the poor inebriate and those dependent upon him, is it not our duty to pass this or some kindred law? If right must be trampled underfoot for a constitutional quibble, let it be by the courts and not by Congress. [Applause.]

Mr. FITZGERALD. Mr. Chairman, I now yield twenty minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, I desire at this time to make some remarks on a subject not entirely germane to the bill, but one which I deem the most important that confronts the American people—that of foreign immigration. The vast horde of illiterates from Southern and Eastern Europe that has swarmed to our shores for the past few years presents an issue before which those of finance, tariff, railroad regulation, and trusts pale into insignificance. If mistakes are made in these questions to-day, the statesmen of to-morrow may to a great extent

correct them, but this motley mass of aliens threatens us with a condition that coming ages will perhaps grapple with in vain.

I am not a "Know Nothing," nor do I believe in the doctrine of "America for Americans alone." I have no racial prejudices except those which an almighty God has planted in the heart of every true Southerner who believes that in the keeping of the Caucasian race have been placed the principles of human liberty and the just rights of all the people. I am inspired by no narrow sectarianism which would keep out any man because he is Protestant, Catholic, or Jew. I have proven this by the disposition of some of the few official favors that have been at my disposal since I have been in Congress. I will cite one. Three years ago I had to appoint a cadet to the Naval School at Annapolis. I gave the appointment to a bright young son of German people at Cullman, after having first tendered it to a young Jew of my own town.

So, Mr. Chairman, you see that I am not influenced in my views of this question by any narrow prejudice on account of creed, or on account of foreign blood. But I do believe that it should be considered and solved, if possible, with an eye to the permanent welfare of our whole country, and not with a view of bridging over any temporary necessity or of meeting any short-lived contingency.

My position as to the best way of settling the question is embraced in the following section of a bill which was reported to the Fifty-ninth Congress by the Committee on Immigration, of which I was a member:

SEC. 38. That no alien over 16 years of age physically capable of reading shall be admitted to the United States until he has proved to the satisfaction of the proper inspection officers that he can read English or some other language or dialect, and the Secretary of Commerce and Labor is hereby authorized and directed to prescribe from time to time such methods and rules as he may think best for the purpose of testing the ability of such immigrants to read: *Provided*, That an admissible alien over 16 years of age, or a person now or hereafter in the United States of like age, may bring in or send for his wife, his mother, or his grandmother, his affianced wife, his father, who is over 55 years of age, or his grandfather, if they are otherwise admissible, whether they are able to read or not; and such persons shall be permitted to land: *Provided further*, That a daughter not exceeding 21 years of age, or a son not exceeding 18 years of age, otherwise admissible, if accompanying an admissible alien father or mother, shall be permitted to land whether said daughter or son is able to read or not.

Gentlemen, is that a radical proposition? The constitution of many of our States has an educational or property qualification for suffrage. Some have both. Then is it an unjust requirement to say to the foreigner over 16 years of age that before landing in this country he must at least come up to the standards set for our sons before they can become electors, even after they have been here twenty-one years.

I do not contend that every Italian or Russian or Syrian who is admitted becomes a voter, or even a naturalized citizen, but it should be the wish of all that no male person should come except those who desire and are qualified to become voters.

It is unfortunate for any country or section that it has large numbers of men who can not take part in the affairs of government, at least at the ballot box. We have had that unfortunate condition in the South, and we all regret that it exists, but events over which this generation had no control forced it upon us, and I am one of those who believe that we are trying to settle it in the best way. With this experience behind us, will it be wise to bring upon ourselves and our posterity another similar problem that may involve us or them in perhaps greater troubles than those with which we have had to grapple?

It is against those of a different race from ours that my principal objection is aimed. I do not contend that because a man is illiterate he is necessarily vicious; nor would I debar him merely by reason of the fact that he can not read if he is of the Caucasian race and otherwise a desirable person. I favor this restriction, because it appears to me to be the only practicable way in which many people of an undesirable race can be excluded. We could not without perhaps becoming involved in serious international complications, enact a law which would say that no Italian or Syrian, Russian or Greek shall be admitted. We have done this as to Chinese, but I doubt if European nations would stand for such legislation. Hence, if the end desired can be reached by the educational test, would it not be better to bring it about in that way?

It has only been within recent years that so many undesirables have been coming to our shores. More of them have been admitted within the last ten years than came throughout the entire previous history of our Government. Prior to 1890 almost all our immigration was the Teuton and the Celt. They were the sturdy pioneers who penetrated the forests of this country and won them over to civilization. They were the people who, chafing under religious or political oppression, sought these shores in order that they might erect the standard of liberty. Although the Spaniard and the Italian preceded

them in discovery, they could not keep pace with them in occupancy and in development. If we had no other evidence of the superiority of the Caucasian than the permanency of his occupancy of this part of the New World, that itself ought to convince us that before the steady march of the white man no obstruction can impede and no opposition can prevail. Fortifying my position as to this racial superiority, I need but point you to the sad history of the governments in South America where the Iberic blood has predominated. True, Mexico has within recent years made rapid strides toward an eminent place in the galaxy of nations, but who will deny that she owes much, if not most, of her prosperity to her proximity to the United States and to the influx of blood, brains, and money from our country?

The only substantial argument presented by leaders in Congress who oppose the admission of New Mexico is that there are thousands of Mexicans in her borders, many of them unable to speak our language. This opposition is made in the face of the fact that settlers from the States largely preponderate both in wealth and in numbers. The strange inconsistency of these very leaders is that they pretend to see no danger from the unrestricted flow of this very same blood into the United States.

A brief comparison of the immigration in 1882, when the change began, with that in 1905 will be instructive to those who really seek the truth.

Prior to 1882 the principal sources of our recruits were the British Isles, Germany, Scandinavia, and the Netherlands.

About that time the change began, and there was a rapid shifting of the sources of immigration from western to eastern and southern Europe. In 1882 the total immigration from all Europe and Turkey in Asia was 647,000; in 1905 it was 1,024,000, and in 1906 about 1,200,000.

Of those admitted in 1882, there were 563,000 from the countries of western Europe. There were only 83,637 that year from southern and eastern Europe and Turkey in Asia—that is, of the total immigration, 87 per cent of it was from northwestern Europe. In 1905 there were only 216,000 from the countries of northwestern Europe and 809,000 from the countries of eastern and southern Europe—that is, of the total immigration, 21.7 per cent was from northwestern Europe and 78.9 per cent from eastern and southern Europe.

To emphasize the danger of this condition, I will contrast the immigration of a few of the countries during those two years. From Great Britain in 1882 there came 179,000; in 1905, when the total immigration had nearly doubled, it had fallen to 102,200. In 1882 it was nearly 28 per cent of the total immigration; in 1905, not quite 10 per cent. In 1882 Germany sent us 250,000; in 1905, 37,500. In 1882 it sent over 38 per cent of the entire immigration; in 1905, less than 4 per cent. In 1882 Sweden sent 64,600; in 1905, 23,300. In 1882 it sent 10 per cent, in 1905, a little over 2 per cent. In 1882 Italy sent 32,000; in 1905, 273,000. In 1882 it sent 5 per cent of the total; in 1905, nearly 27 per cent. In 1882 Austria-Hungary sent 29,150; in 1905, 265,000, and in 1906, 338,000. In 1882 it sent 4.5 per cent; in 1905, 26 per cent. In 1882 Russia sent 21,600; in 1905, 215,600. In 1882 it sent 3.3 per cent; in 1905, 21 per cent. This, gentlemen, gives us a comparison of the emigration from the three principal countries of northwestern Europe with the three principal countries of eastern and southern Europe.

In these statements I have generally used round numbers.

In 1882 eastern and southern Europe sent us 13 per cent of our entire immigration; in 1905 it sent us 79 per cent. While northwestern Europe has decreased nearly fourfold, eastern and southern Europe has increased more than tenfold.

Gentlemen, can we cut ourselves loose from the dollar mark and say that the comparison bodes good for our children and the children of our people? It is said by those who differ from me that we have reached the high-water mark and that it will soon begin to recede. This has been repeated time and time again for several years, and yet we see the high-water mark rising with each year that comes, and the deplorable phase of the matter is that as the increase of the undesirable grows greater the number of the desirable grows less.

Commissioner-General Sargent, in his last annual report, says that the average monthly arrivals of immigrants at Ellis Island alone during the last fiscal year was 93,654, equaling the total number arriving during some entire previous years.

Mr. Sargent further says in this report, page 4:

The immigration for the year 1907 (1,285,349) exceeded that for 1906 (1,100,735) by 184,614 and that for the year 1905 (1,026,499) by 258,850, or an increase over the year 1906 of more than 17 per cent and over the year 1905 of more than 25 per cent.

This does not include the thousands who steal in surreptitiously every year. On page 74 of this report Mr. Sargent

quotes from the report of a special inspector recently detailed to make investigations in Mexico as follows:

The sum and substance of my recent investigations in Mexico crystallizes itself into the conviction that, taking the most conservative view, fully 15,000 aliens from Europe and Asia enter the United States annually from Mexico.

The reason of the decrease of desirable immigration often given is that conditions are so much better in the countries in northwestern Europe than they formerly were that it has given a check to immigration from that part of the world. To some extent this is true, but as I traveled through Scotland and Ireland, as a member of the Immigration Commission, I found the poverty and oppression of the people pitiable to see. I asked two or three intelligent young Irishmen, who were coming to Queenstown to board the ship on which I sailed, why more of them did not come to America, and they replied that thousands more would come every year if they could only get the money to pay steamship fare. Can we conceive of much greater poverty than that of a people thousands of whom are prevented from coming to our country because they can not raise \$30 or \$40 to pay steerage passage on a steamship? Yet less than 4 per cent of the adult Scotch and Irish who come to America are unable to read and write and as a rule, they make first-class American citizens.

On account of this Republican panic the number of immigrants has recently fallen off, but just as soon as times begin to improve we will see that same swarm of birds of passage again flocking to our shores. Those who have returned to their native homes within the past few months have taken millions of dollars to further the hard conditions already existing here.

Mr. Chairman, is this great increase from the healthy and the intelligent? One extract from the annual report of the Commissioner-General of Immigration for 1906 will answer that. On page 7 of that report he says:

The constant increase of the number of aliens afflicted with contagious diseases, insanity, and idiocy is significant.

In my investigations in Europe I visited a number of emigrant boarding houses at one of the ports through which many of them pass. There were a large number of Syrians in these houses waiting to ship for America. They were about the dirtiest lot that I saw on my trip. I found a woman of moderate intelligence who had spent three or four years in America and spoke pretty fair English. She had evidently not been coached by the runners for the steamship companies, and talked freely. When we asked her where she was going she replied that she was going to Mexico and from there to the United States. She said that she was returning with several of her relatives, and on account of trachoma she was afraid they could not get in through our ports.

On page 75 Mr. Sargent quotes from the special inspector before referred to, as follows:

As far as other immigration is concerned—namely, of Syrians and Greeks—I have to report that it is on the increase. The steamers landing in Mexico bring more and more of that class of aliens, and I have seen in the office of the Mexican Central Railroad Company some correspondence with European steamship companies speaking about the increased traffic in emigrants who want to go to the southwestern parts of the United States from Mexico. From that correspondence it appeared to me that transportation companies in Europe are making an effort to get as many emigrant passages as possible for the United States via Mexico.

The immigrants who come that way are afflicted with trachoma and other diseases which debar them from entering through our ports; and the steamship companies are lending a willing hand to these violators of our law. Mr. Chairman, my observation of the steamship companies that bring immigrants to our shores convinces me that they are the most arrogant and lawless of any corporations or individuals who abuse the privileges given to them. Even now they are knocking at the doors of Congress to secure an amendment of a law which we passed at the last session giving more air space and better comforts to the poor immigrants whom they huddle together in the steerage of their ships like so many dumb, driven cattle.

Mr. JOHNSON of South Carolina. Are the steamships trying to get it amended before it goes into effect?

Mr. BURNETT. Yes, indeed. And, strange to say, our own Commissioner of Navigation seems to be lending his willing aid to this infamy. In regard to this air-space law Commissioner-General Sargent, on page 83 of his report, quotes from the report of Mr. Watchorn, Commissioner of Immigration for the port of New York, as follows:

It is a matter of regret that that part of the act of February 20, 1907, relating to improved conditions on passenger ships, was not made operative earlier than 1909. During the year just closed 1,506 children have been received at this station afflicted with measles, diphtheria, and scarlet fever, all of which diseases are due, more or less, to overcrowding and insanitary conditions. Of this number 205 died.

* * * The cost of detention of relatives while waiting for the return from the hospital of persons afflicted with the diseases in ques-

tion is fully \$30,000 more, and has placed a strain upon the dormitories and detention rooms at Ellis Island second only to the stress that is placed upon the steerage itself.

The inspectors are pretty strict at most of our ports, but in spite of that fact thousands of diseased persons and criminals slip in every year.

The very manner of living of those coming from the undesirable countries breeds skin, eye, and head diseases that are highly contagious. In one village that we visited in Sicily I saw goats, chickens, and women and children all huddled together in one dirt-floor room, and the fleas working by the thousand.

In Naples the filth in the poorer quarters of the city was absolutely nauseating, and the public indecency of the people was shocking.

We crossed over the Russian border at one point contiguous to Germany, and the difference in the cleanliness, the intelligence, and the thriftiness of the two peoples, only separated by a narrow stream, would almost tax the credulity of anyone who had not seen it.

For one to realize and appreciate the difference between those of the Iberic and those of the Aryan stock, let him go just one day's travel from southern into northern Italy. I spent nearly a week in Sicily, circling the entire island, and stopping at several of the important cities.

More than 55 per cent of the immigrants from southern Italy, including Sicily, over 14 years of age, can not read even their own language. We saw a ship in which a large number of those south Italians were embarking for this country, and on one of the decks was a basket full of knives. On asking what it meant, we were told by one of the officers of the ship that they had to take the knives away from the emigrants for fear they would carve each other up on their voyage.

Gentlemen, do you believe that that kind of people will build up our country or advance its civilization?

In northern Italy we found intelligence, progress, and comparative prosperity. Italy has a compulsory system of education, but in the southern portion it is entirely ignored, while in the northern portion it is enforced, and as a result only about 10 per cent of the immigrants that come from that section of the Kingdom are illiterate.

It can not be said that oppressive laws make this difference, for here are people living under the same king, governed by the same laws, and enjoying the same civil and religious rights, and yet mark the difference. It can be explained on no other theory than that of racial difference. The ignorance, the vicious character, especially of the Sicilian, makes him an easy dupe when he reaches America for the Mafia and the Black Hand. In Sicily we visited the region once infested by the bandits, and on asking some of the natives about these outlaws, we were told that they were no longer troubled with them, as they had all gone to America.

We all remember when yellow fever was raging in New Orleans, the trouble that the physicians had with the ignorant and superstitious Italians. They would conceal the living victims of that dread disease from the doctors, and even hide them when they died.

Almost every day brings us news of some new outrage committed by Italian outlaws in Chicago, Pittsburg, New York City, or some other city or community. Even the priest at the communion is stricken down by their bloody hands. True, the leaders are generally shrewd scoundrels, often with some education, but do you believe that they could long ply their trade without the aid of ignorant dupes from their own land?

The following is an extract from an article in the New York Commercial in its criticism of my position on this question:

It is true that large numbers of immigrants from the continent of Europe easily become viciously disposed after getting here and develop rapidly into criminals. The cause is to be found chiefly in their ignorance, their lack of moral training, their failure to understand and appreciate—after long experience of restrictive, harassing, and oppressive laws and practices—the meaning of personal liberty, and their inability to resist the temptations of their newly found freedom and their unaccustomed environment. As it is often only "the opportunity that makes the thief"—not dishonest instincts or purposes—so it is opportunity that leads morally irresponsible immigrants into vicious ways and criminal paths.

The writer contends, as do many others, that the remedy for this is the segregation of these people and their settlement in the country. That would help matters some if it could be accomplished, but in my judgment we will never get many of the south Italians into the country. Those who are laborers and peasants at home usually live in towns and villages and walk to the farms in the country. Their gregarious habits soon cause them to go to the cities even if they at first settle in the country. Again, the Italian comes here solely because he expects to get better wages than he received at home, and just as soon as he

finds that the furnace, mine operator, or the contractor in the cities and manufacturing districts will pay him more than he can get from the planter he will at once pick up his little holdings and migrate to the city. This talk about getting him as a laborer on the farm is the merest moonshine. Besides, as I will show directly, the farmer in the South does not want him and does not need him.

He will continue to congregate in the cities, the prey of disease and often of dissipation. I was told by a high Italian official that thousands of the peasants who left Italy healthy, sober men, came back victims of tuberculosis and of strong drink. Disease, he said, was brought about by huddling together in unsanitary lodging houses and drunkenness by the poisons in American drinks.

Not only is disease and inebriety bred in these dens, but they become the hiding places and rendezvous of crime.

A short time ago the statement was made by the New York Evening Post that there are 132 Italian confidence men now serving time in Sing Sing.

A Member of Congress from Louisiana told me recently that in his State the Italians seldom go into the courts to settle their differences, but settle them with the knife and the dagger.

I have thus fully discussed the south Italian because I visited his country and studied him in his own home and because an especial effort is being made by many to encourage his emigration to America. Most of the south Italians and Sicilians that we are getting are the best of their kind that are found in those sections of Italy. They are generally of the peasant class from the smaller towns and villages. Naples, Palermo, Messina, and other large places have not yet fairly begun to dump their millions upon us. If the ignorant and vicious ones that we are now getting are the "pick of the flock," what will it be when the slums of those cities are turned loose upon us.

If there were no other objection to America's being made the dumping ground of the illiterates of Europe than the fact of their illiteracy, that itself ought to cause us to hesitate before we throw wide our gates for their admission. The old Confederate soldier came home forty-three years ago from that terrific struggle to find desolation and ruin, poverty and distress, on every hand. His property had been swept from him, and he had to start anew to recover his lost fortune and to try to educate his children. He also found that as one of the vicissitudes of war the children of his former slaves had to divide with his own the meager funds which he could pay to remove the dark cloud of illiteracy from our land.

Now, is it fair and just that while he and his children are trying to discharge their duty as patriots to the black as well as the white another race of illiterates should be precipitated on them to further divide the meager funds that they are having to pay for education?

Again, the very manner of living of many of these undesirables will bring them into such contact with the negro in the South that, in my opinion, it will cause us trouble. They know nothing of the superiority of the white man and will not consider the inferiority of the negro. The negro himself will regard them only as equals, or even as inferiors.

Every man reared in the South knows that the negro considers anyone his inferior who associates with him on terms of equality. Then where will he place the Syrian or the Greek or the "Dago," as he calls the Italian? Should these aliens come in great numbers to the South, I fear that trouble will spring up between the two races, and then more race questions will confront us.

The South has always been conservative. We have always believed that God made only the Caucasian to rule this country, and I, for one, look with apprehension upon any effort to introduce into her electorate, or into the seats of her rulers or lawmakers, those through whose veins flows the blood of any other than the Caucasian race.

We have for forty-three years had a race problem which the best intellect of the South has tried to solve, and which we believe, under the providence of God, we will yet settle right, if let alone. It was put upon us by the prejudices engendered by a terrible war. We feel that we have made progress already in its solution, and now, when we think hope points the way, shall we voluntarily assume another race problem that may give to our posterity more trouble than that which we have had to face?

Against the people from northwestern Europe I have not one word to say. The Scandinavian, the German, the French, the Swiss, the English, the Scotch, the Irish, the Bohemian, and, in fact, all the inhabitants of northwestern Europe, and most of those from northern Italy, are Caucasians. They are from the same great Aryan stock from which you and I sprang. The south Italian, the Greek, the Spaniard, and, in fact, most of

the people of southern Europe and western Asia have intermingled their blood with that of the Arabian, the Saracen, and the people from other portions of Asia and northern Africa until they are not our kind of people. With them the Iberic blood predominates. With us the Teuton and the Celt prevails. If this proposition is conceded, it follows that if we admit them in great numbers, we will have a third alien race and blood to contend with and a third race problem to transmit to our posterity. If it is contended that these people are industrious and that their labor is needed, the same can be said of the Chinaman, the Jap, and the Hindoo, and yet will any man that loves his country say that the flood gates should be lifted and these people allowed, like the locusts of Egypt, to be turned loose on our Western shores?

Up to this time so few have come into the South that we have not felt great evil from their presence. But the cry is going up to turn the tide of these very ones whom I deem undesirable into the South. Do not let the cry of scarce labor blind us to the real danger that confronts us. Let not the Juggernaut of commercialism crush out the boasted civilization of our glorious country.

Were I to look at this question from the standpoint of cold, selfish commercialism, and as a temporary expedient to supply an acknowledged scarcity of labor, I would perhaps have to admit that the man who favors an unrestricted immigration has somewhat the better of the argument. But as one of the representatives of more than 80,000,000 of people, I feel that I should look beyond the exigencies of a temporary condition and do what I can to legislate not only for those of our day, but for the interest of our children.

At the present the demand for labor is not so great as some months ago, and it is in just such times as these that the American workingman suffers by the presence of the pauper labor that came in during our era of prosperity.

Is it not natural, then, that the American laborer whose family is suffering should resent being displaced by Italians who care nothing for American civilization or American liberty, and who, in case of America's peril, would never render aid. I desire to read an extract from a paper along this line:

SONS OF SUNNY ITALY RUN OUT.

BLOOMINGTON, ILL., April 17.

Thirty Italians who have been employed by the Illinois Central at Clinton were driven from the town last night by a mob, who intimidated them with a fusillade of shots from guns and revolvers.

There has been indignation against the Italians since Mayor Edmondson received a "Black-Hand" letter threatening his life. The Italians were charged with the authorship. The railroad has been employing the Italians to the alleged exclusion of several hundred American-born residents who were unemployed. The authorities have been unable to secure any clew to the arrest of the men composing the mob.

But even as laborers these people are not desirable. Last spring I heard the superintendent of one of the biggest cotton mills in Georgia say that he would not give one man or woman from the mountains of North Georgia or North Alabama, as a cotton-mill worker, for any half dozen foreigners that he ever saw. I was told a short time ago by the president of one of the largest iron-working plants in Alabama that he was going to have to get rid of the Italian help at his plant, even if he had to substitute it with negroes.

Every convention of the Southern Cotton Association and of the Farmers' Union urges the people to reduce the acreage of cotton. Then, even if it were true that the Italian would go to the farms and grow cotton, you would put him in direct competition with the Southern farmer, who has borne the heat and burden of the struggle. The last cotton crop brought us about \$800,000,000 in spite of the fact that the negro is every day becoming more worthless and more unreliable. The white farmer has already to a great extent solved the question of the scarcity of labor. He is doing it with improved implements and intelligent and intensive farming, and does not want or need the Italian to help him. I have asserted this proposition all over my district and have never heard a single dissent from it. If he should go to the farms, where would the farmer put him? The southern Italian usually comes without his family, and should he go to the farms would almost invariably take his place as a day laborer. Most of our farmers are small landholders and have to bed and board the hired man. He eats at the table with their wives and daughters and sleeps in the bed with their sons. In the South they would not want to put him with the negro, and yet not one in a thousand would take him into his home on terms of equality with his wife and children. Then where would he go? Just where he goes now—into the dirty tenement houses of the cities.

The fact is, gentlemen, this talk of getting the south Italian on the farms is a subterfuge and beneath it is the masked hand of the manufacturer, who really wants to hold him as a menace over the American workingman. Is that fair and

just? Before every Federal election we hear from every stump the cry of what the Republican party has done for the American laborer, and are pointed with pride to the great prosperity of the country. What produced that prosperity? It was brought about by a partnership between labor and capital. All honest partnerships are based on the desire of both parties for a fair division of the profits. Then, is it right that without the consent of one of the members a third partner should be introduced to further divide the profits, that division to be taken from the portion of the objecting partner?

Let us deal fairly with this question. I rejoice in the prosperity of our country. I am from one of the cities where the cornucopia of our prosperity is running over, and I would not erect one single barrier to her legitimate progress. I delight in watching the lurid glare of her furnaces as it lightens the very heavens. I am glad to watch the dark pillows of smoke that hide the face of the sun, and I hope to see the light rise higher and the columns of smoke grow thicker and darker. But, gentlemen, I would rather see her fires banked and her smoke dissipated to the four winds than to see that prosperity erected upon the graves of our Caucasian civilization. This is no pessimistic vision and no rapid warning of a false Cassandra.

It is not from the homes of the rich that the cry will come, for they can protect their children from contact or association with the undesirable. But it will come from the weaker member of the partnership, asking us to protect his family against amalgamation and destruction, for amalgamation means destruction. Through his veins flows the same Caucasian blood that flows through yours. The blue eyes and fair skin of his children are just as beautiful to him as yours and mine are to us. While he does not, perhaps, expect for them that wealth or position that you and I hope for ours, he does desire that cleanliness and respectability and virtue and honor may be their heritage. I know that there are those who will say that these are the words of a place-hunter and a demagogue. But, gentlemen, are they not the words of soberness and of truth? One of the best rules of life is to put yourself in the other fellow's place. My friends, put yourself in the place of the white men in the little Mississippi village that rose in revolt some time ago against conditions there. Put your children on the seat beside the children of the dirty Italian in the Mississippi school, and tell me what you would have done. "Am I my brother's keeper" is a question even more pertinent to-day than it was when, in the early days of creation, it was answered by the wrath of an eternal God. As yet there is but an appeal, but should it go unheeded, the thunders of a demand and even of a threat will be heard. The conditions in the Mississippi town are but a hint at the Jim Crow car and the separate school. Let that hint go unnoticed, and let the columns of these undesirables, not alone from Italy, but from several other countries, continue to lengthen, and you men who favor their coming will have the gory locks of your own flesh and blood shaken at you as they exclaim in their wrath "You did it!"

I believe you who differ with me are just as patriotic as I am, but some have looked through the smoked glass of commercialism and have not given this question that fair consideration that I think its importance and its danger merits. I believe it is a more dangerous question in the South and in the West than in the North. The environments of our Northern brethren are such that race lines are not so closely drawn there as with us. They have never had the question in the acute form in which the people of the South and the people of the Pacific slope have had it. Had the few Jap school children in San Francisco who came so near involving us in trouble with Japan, lived in New York or Philadelphia, no protest whatever would have been heard. Yet an effort to force the negro into the schools in the South or the Japs into the schools in California will always be met with violent protest and resentment. It is because we have in the respective sections been up against the real thing and we know its dangers, and whenever anything presents itself that looks like an effort to force equality with an inferior race the sensitiveness of our Southern nature appears at once. It was but natural that Italian citizens should send in their protest against the effort in the Mississippi town to keep the children of their people out of the white schools. The Japs in San Francisco did the same, and the President was ready to back them up. The negroes have sent in their repeated protests to the Interstate Commerce Commission against Jim Crow cars. This will always be done by the offended party. No one expects him to admit his inferiority. The Italian consul appeals to Washington, and Washington will threaten to lay its heavy hand on the rights of the States to govern their own internal affairs, and thus we have no end of trouble. The North already has enough of these undesirables, and if they will en-

danger the South, Southern society, or Southern civilization, had we not better check them as far as possible while we can?

Mr. Chairman, I think this a subject for serious investigation by the thoughtful men of this great body of American Representatives. Take it with you, dissociate it from commercialism, analyze it in the alembic of truth, weigh it in the scales of justice and fair play; and when you have done so, I believe that we will have your sound approving judgment cooperating with and supporting us in our views. What is the remedy? If there be one, let us hasten to adopt it before the Black Hand spreads all over our country and we stand paralyzed and impotent to resist its deadly thrusts. The educational test, I believe, will more effectively solve it than any other method. In this connection, permit me to read from the opinion of our American consul at Messina, Sicily, who for fourteen years has passed his official life among these very people. He says:

After nearly thirteen years' residence in Sicily, during which period I have tried to study the emigration question in all its phases, I have arrived at the conclusion that both Italy and America would benefit by its restriction; the fields of the former that now lie fallow, for lack of labor to cultivate them, would become productive, and the prisons and reformatories of the latter would not be overcrowded by a class of foreigners whose treacherous characteristics are such that a special arm of the detective service had to be created to keep them in check. It is said that the emigrant from upper Italy is sober, industrious, and makes a good citizen. I fear that the same can not be said of the one from Sicily or Calabria. The money he earns never sees the light of day after it finds its way to repose between the filthy linings of his leather wallet. His living expenses are about 40 cents a day, and the hogs in an American farmer's pen are more cleanly in their surroundings and habits than are he and his dozen associates who huddle together in one room and exist like animals, not human beings. When the wallet is well swollen he puts the contents in a registered letter and sends it to his relatives here, who change it into Italian currency and deposit it in the post-office bank.

Sometimes instead of sending it he brings it himself. In that case he appears upon the scene with a flashy suit, a top hat, a filled chain, and a brass watch, and struts among his former associates—a second Gulliver, a giant among pigmies. In a few weeks he returns, having induced some of his friends to accompany him. Immigrants of other nationalities, even the Polish Jews, spend their money where they make it, but the Sicilian and the Calabrese never. The only persons to whom their advent is a benefit are those who employ them at a cheaper figure than they would have to pay for American labor.

To at least check the constant rush of those people to our shores I see but one remedy—the insertion of the illiteracy clause in the immigration law. This would oblige about 85 per cent of the class to devote their attention to the developing of the industries of their own country, which sadly need the aid that we are only too glad to dispense with.

Coming as it does from one who is so familiar with the people and the conditions in southern Italy, thoughtful men ought to give fair consideration to the views of this distinguished American consul.

The educational test will eliminate more than 300,000 Italians, Syrians, Russians, Greeks, and others from that section of Europe and Asia each year and will not touch 5 per cent of those from northwestern and northern Europe. Let us look at what the illiteracy test will do.

The Bohemians over 14 years of age who came last year were 11,015 in number. Of that number there were only 216 over 14 years of age that could not read. Those are all that would be cut out. Take the Finnish. While they are Russian citizens in a Russian country, they are contiguous to the Scandinavians, to Norway and Sweden, and are virtually of the same class of people. Although they are under the same laws with many of the illiterates of Russia, although they have the same Czar and the same legislative bodies, of the 13,893 who came only 351 were illiterates. Take the English, and of 43,144 who came there were only 536 illiterates. Of the French, of 8,390 who came there were only 170 illiterates. Of the Germans, of 78,091 who came there were only 5,310 illiterates. Of the Greeks, of 45,464 who came—I mean over 14 years of age in each of these statements—there were 13,883 that could not read a word, even of their own language. And here, in passing, let me remark, Mr. Chairman, that there were really more of each one of these nationalities that could not read than I have stated, because no test was applied to them. The question is asked by the immigration agents as to whether they can read or write or not. Then they answer without any test being applied, and no doubt many answer falsely as to this.

Of the Irish there were 36,463 that came who were over 14 years of age, and only 713 of them were unable to read. Of the north Italians—here I want to call your attention again to the difference between the north and the south Italians—of the north Italians there were 47,555 who came, and only 4,741 who were unable to read. Of the south Italians there were 214,000 who came, and 115,803 of them over 14 years of age were unable to read. Of the Russians there were 16,000, in round numbers, who came, and there were 6,998 who were unable to read. Of the Scandinavians there were 47,500 who came, and only 475 who were unable to read. Of the Scotch

there were 17,274 who came, and only 149 illiterates, while of the Syrians there were 5,216 who came, and of that number 2,780 were unable to read.

Of the South Italians more than 50 per cent would be cut out; of their North Italian brothers but 10 per cent would go. Of the Greeks about 40-odd per cent would be cut out; and yet of the Bohemians, farther north of them, less than 2 per cent would go. Of the Syrians, from 40 to 50 per cent would be cut out; of the Scandinavians only about 2 per cent would be excluded, and of the Irish about a like number.

Mr. Chairman, I can not better conclude these remarks than by quoting from one who has devoted much study to this important question. He says:

During the past fiscal year, which ended June 30, 1,285,349 aliens entered the United States—an increase of 556 per cent over the number that came ten years ago. Such a number is more than double the population of any Southern city, and is greater than that of any one of twenty-three States and Territories.

Of this multitude—and never has there been in all history a similar invasion of any country—eight-tenths came from southeastern Europe and western Asia, regions which until recently sent us no immigrants. Three-fourths were destined to settle in the large Northern cities and labor markets of six States. Half of the million and a quarter were practically penniless. Less than one-tenth settled west of the Mississippi and south of the Potomac rivers. According to their own statements 343,402 of the adults were unable to read and write a single word in any language or dialect.

Such is the general character of the new immigration as a result of the foreign steamship's pursuit of profit and the large employer's search for cheap labor. The need of further rigidly selected and restrictive measures is obvious. Our existing laws, with the exception of Chinese and Japanese exclusion, are merely feeble police regulations, only half enforced at that. They do not in any appreciable way affect the caliber, character, or capacity of immigrants for citizenship in our democracy, and are merely unsuccessful attempts to exclude obviously undesirable persons because of some unquestionable physical deficiency.

What is needed is the absolute exclusion of the ignorant, the unintelligent, the penniless, those of low vitality, weak mentality, and poor physique, those who are able to perform only the cheapest kind of labor, those who desire to locate exclusively in the cities, and all who are unfitted for good citizenship in our enlightened industrial, political, and social democracy.

I am a firm believer in the illiteracy test. No test for selecting immigrants has had more general support. It works admirably in British Columbia, South Africa, and Australia, and would exclude, with the exception of near relatives, merely adults unable to read a line in some language or dialect. The only criticism is that it would not keep out the educated criminal and the literate anarchist agitator. While such a measure would not exclude the educated rascal and irresponsible agitator, it would catch the very class—the ignorant and illiterate—who are such a fertile field for his nefarious practices. Study and investigation show that it is the ignorant and illiterate who come destitute of resources, either in money, ability, or the means of support, who have a very low standard of living and little ambition to seek a better, who crowd into the city slums, and who, as I said, are such a fertile field for the corrupt bosses and irresponsible agitators.

We spend millions upon our public school system, and practically require a rudimentary education of our own native children as a condition precedent to full citizenship. Why admit foreigners on more favorable terms? Is a knowledge of the three "Rs" a handicap in the struggle for existence and an undesirable qualification for participation in our industrial, political, and social affairs? Such a test would keep out very few really desirable assimilative aliens, for all progressive foreign countries now have school facilities, advantage of which practically all the desirable illiterate persons that come to us would have taken, if they were coming now.

The chances of the South getting desirable immigrants as a result of such legislation would be increased. The classes that would be excluded by such laws are the very ones that settle in the slums and sweat shops of the Northeast, and are averse to going to the smaller cities and rural districts. Their coming prevents the coming of the more desirable. If the steamships are not allowed to bring the undesirable, they will fill their steerage with the desirable classes that used to come in such large numbers. The undesirable labor is even worse than the Chinese coolie, and ought to be excluded, if we consider our future racial, political, and social welfare. It conceals far worse menaces than the importation of the negro, and will add to and complicate our present economic, political, social, and race problems. [Loud applause.]

Mr. SMITH of Iowa. Mr. Chairman, I now yield twenty-five minutes to the gentleman from Kansas [Mr. MADISON].

Mr. MADISON. Mr. Chairman, the Administration of Theodore Roosevelt is fast passing into history, and one of the greatest, if not the greatest, question in the minds of the American people at the present time is, Are the policies which have come to bear his name to be continued and perpetuated?

With the plain common people of the fields and workshops, who have always and do still regard the President as the champion of their rights and interests, there is the fear that they will not be. With many who have heretofore and many who continue to enjoy special privileges or freedom from restraint in the furtherance of their enterprises to enrich themselves at the expense of the people there is the fear that they may be.

A distinguished gentleman closed an eloquent speech on the floor of this House a short time ago with the statement that "Just what niche Theodore Roosevelt is to occupy in the temple of his country's history, God and the future alone can tell." The gentleman was correct, for the subject of his remarks is still a comparatively young man, whose career, in the natural order, lacks much of being closed, and the history of no man can be written until he is dead. But if to-day that career was to suddenly close, many of the gentlemen in Congress and out who have exhausted their vocabularies in depicting him as a usurper of power, a menace to the constitutional rights and liberties of his fellow-citizens, an insincere and dishonest Executive, would be saying of him that he enjoyed the confidence and affection of his countrymen as no man has since the days of Lincoln, and that he was entitled to and would live in history as a great tribune of the people. [Applause.]

In the history of America there are two great names that will always tower above the names of the other great men of this country as does a great mountain peak stand out in bold relief against the horizon above the surrounding mountains, dwarfing them, majestic though they may be in comparison with the surrounding foothills, by the grandeur of its magnificent proportions. They were men appointed by Providence to meet the two greatest occasions that ever occurred in our history—Washington and Lincoln.

Both performed their divinely appointed tasks in such manner that their names and memories belong, not alone to us, but to all the world. Each recognized the magnitude of the task that was set before him. When the day came for Abraham Lincoln to leave the little Illinois town where he had lived for years and whose people knew and loved him as no other people could; when the time of parting came and they crowded about him as he stood on the rear platform of his car in the rain that was falling from a murky sky of late winter, he said to them:

I now go, not knowing when, if ever, I may return, with a task resting upon me greater than that which rested on Washington. Without the assistance of that divine Providence which ever attended him, I can not succeed; with it, I can not fail. Commending you to Him who can go with me and remain with you and be everywhere for good, as I trust you will in your prayers commend me, I bid you an affectionate farewell.

Yet, Mr. Chairman, when that task was heaviest; when the Treasury of the nation was depleted and its credit was almost gone and its bonds were being hawked about the markets of the world below par; when the great resources of the North seemed almost exhausted; when the homes of the country were being appealed to for more of their boys to carry on the war for the preservation of the Government of which Lincoln was the responsible head, a great political party met in convention and explicitly declared in its platform that that "Government had disregarded the Constitution in every part and had trodden down both public liberty and private rights and essentially impaired the prosperity of the country."

Its whole platform was, in fact, an indictment of Abraham Lincoln and his Administration as unjust, inhuman, and tyrannical. It was a supposed political exigency that called forth that denunciation.

No portion of our citizenship render greater praise to the personal character and public acts of Abraham Lincoln to-day than do the members of the same party that so fiercely condemned him in 1864.

It is just as inopportune and almost as criminal to condemn Theodore Roosevelt and to endeavor to destroy the faith and confidence the American people have in him and the work he is doing as it was to condemn Abraham Lincoln in 1864. [Applause.]

Each conceived in his youth the purpose of combating the evils of his day and time that existed in his country and from which its people were suffering, and each conscientiously applied himself to the task when the opportunity that goes with high place came to him.

President Roosevelt is engaged in the performance of that task, and the American people who believe in him, in his courage, his sincerity, and high purposes are demanding of us as their representatives, and as they have a right to demand, that we shall not condemn and embarrass him, but that we shall aid him in its performance.

The attempts that have been made by speeches in the Congress and elsewhere and by attacks through the press to discredit the President have met with no echoing response from the great middle class that composes the great mass of our people and whose sober judgment controls the selection of the nation's rulers and determines its destiny.

They know his history. They know the high ideals of his youth, of his consistent work then for reform and good government in municipal and State affairs, and no one can convince them at this late day that he ever forsook those ideals or abandoned that work. In his first message to Congress he wrote:

It should be as much the aim of those who seek for social betterment to rid the business world of crimes of cunning as to rid the entire body politic of crime of violence. Great corporations exist only because they are created and safeguarded by our institutions; it is, therefore, our right and our duty to see that they work in harmony with these institutions.

Artificial bodies depending upon statutory law for their existence or privileges should be subject to proper governmental supervision;

and they can not be convinced that the man who wrote these things, and who from that time to this, through more than six long years, filled with some of the greatest events in the world's history, has earnestly and by all the means within his power labored to maintain these principles and write them into the law of the land, is not consistent and sincere.

It is futile to attempt to make them believe that the Chief Magistrate—who has insisted, not alone by word, but by official acts, that the law should be enforced against the criminal of all classes; that the imposing of great burdens upon the many to enrich the few must stop; that the door of opportunity should not be shut in the face of any man; but that it is the highest duty of government to protect all men in the exercise of their natural and inalienable rights—is dangerous to the Republic.

When a person or party attempts to prove, for political or other selfish purpose, that any given individual in high place is a menace to the public welfare, they must choose some one who has less of the human qualities that draw men to him than has the President.

The American people admire the man who earnestly and aggressively does things, and they hate a "quitter." [Applause.]

They admire the man who stands up and fights for what he conceives to be right; who fights in the open and gives and receives blows; who takes the side of the weak against the strong, of the oppressed against the oppressor; who loves his fellow-men, and lives with and among them and not above them.

The human qualities of Theodore Roosevelt have appealed to them and all the ridicule and denunciation of political opponents, all the criticism of an unfriendly press, all the speeches of the advocates of those who see their special privileges being wrested from them will not avail to convince them that he is inimical to the welfare of the State.

And history will record that the great heart of the American was right in this instance, as it has always been when it has bestowed its affection upon a public servant, and in future days the men who denounced Roosevelt upon the floor of this House will join those who denounced Lincoln as a tyrant; Grant as a butcher; Garfield as a thief, and McKinley as a weak tool of combines and trusts, in thanking God that the American people in such matters are prone to forgetfulness and are at all times generous users of the mantle of charity.

The things that have been referred to here by those who seek to destroy the influence of the President are things that because of their insignificance, even if they contained an element of truth; even if they, in some measure, would bear out the inferences sought to be drawn from them, which they do not even by the most forced and strained construction, are the passing events of a day which the historian of the future will not even give a casual notice. But he will judge this Administration by those things which it has done or helped to do that have made their lasting impress upon this people as a nation and have contributed toward either the advancement or the check of the moral and material development of this mighty Republic. [Applause.]

In a multitude of communities of the great West, located in places that were once numbered among the waste places of the earth, where the sun beats down on boundless expanses of sand heaps dotted with an occasional cactus and barren plains covered with mesquite and sagebrush, men will in the future stand in the doors of comfortable houses and look out upon the productive fields and the homes of happy and prosperous American communities and give credit for the transformation to the reclamation policy of the Roosevelt Administration.

And the American business man of the future, with his cargoes of American goods made in American mills by American workmen, as he floats those cargoes on their way to the markets of the Orient through the great canal that is destined to forever unite the waters of the two greatest oceans on the globe, will not forget that it was the quick, decisive action of a man who did things that ended the procrastinating efforts of more than fifty years and brought about the speedy realization of the dream of centuries. [Applause.]

Those of our people who have removed from homes in the East or Middle West to the great treeless plains of the eastern slope of the Cordilleras, and who have settled upon a great, wide expanse of prairie, and whose eyes have hungered for the sight of a tree; those who have watched the growth of the cottonwood, the pioneer tree of the West, from cutting or seed and tenderly cared for it because of tree hunger, know the value of a tree as no other people can, and the inhabitants of those regions where the Government is now growing forests where they were never dreamed of will join, in the future, with the inhabitants of other sections where the hand of the ruthless destroyer was checked in the destruction of their natural forests in praising the policy of this Administration in the conservation of our forests.

In the great meetings of the representatives of the nations of the world to devise means and to form agreements to hasten the time when the disputes arising between nations shall be settled by appeals to judicial tribunals instead of the sword, and whenever and wherever men meet and plan for the establishment of universal peace, the part that was played by the President of the United States in bringing about peace between the two great nations who were engaged in the Orient in one of the most gigantic struggles of modern times will act as an inspiration and serve as an example that will redound to the incalculable benefit of humanity and the advancement of civilization.

But a few years ago the door of opportunity was closed to practically every man who would start a factory or establish a new business to produce or trade in the things consumed by the American people unless he was a man of large means, for his wealthy and old-established competitor, by means of the railroad rebate, could undersell him in every market he entered, and bankruptcy and ruin were inevitable.

The day of the railroad rebate is ended, and if this Administration had no other mark to its credit but that, for all the years of its existence, that one alone would entitle it to the esteem and gratitude of the American people.

The abolishing of railroad rebates, however, was but an incident in the great epoch-making policy of this Administration—the governmental regulation and control of the great corporations engaged in interstate commerce.

All men recognize the great change that has occurred in economic conditions in this country in the last thirty years. The age of combination has come in the industries. The competitive system may not be entirely a thing of the past in everything, but in some it seems almost ended. The day of the short-line railroad, even of the small system, is a thing of the past. A few men control the great transportation lines of the country. These railroads are the highways of the nation over which the products of the farm and shop must move to the markets and over which the people must pass in the transactions of the affairs of life. The human mind can not conceive of a greater power than that of the control of the principal highways of the greatest country on this earth.

The tendency to abuse unrestricted power is universal. It will not do to entrust a few men with unrestricted control over the transportation agencies of a nation or the manufacture or production of any of the necessities of life. The conditions extant here make governmental regulation and control of interstate corporations in some degree imperative, and that era in our national life has, in fact, been inaugurated during this Administration by its responsible head.

And, Mr. Chairman, it is no longer a question in America as to whether these creatures of the law are higher than the law. No longer will men exclaim that the great burning issue in America is whether the state is to control the corporations or the corporations control the state. That question is settled forever and settled—as all questions are ultimately settled under our system of government—in the interest of the people.

There will be other battles to fight for those who believe in governmental control and regulation of corporations, but the great decisive battle was fought and won in the Fifty-ninth Congress, and we have entered upon the new era from which we will never recede.

By the things I have mentioned and others of almost equal importance will the Administration of Theodore Roosevelt be judged in history. They indicate the statesmanship of the President and his advisers.

As one Representative, having in common with the other Members of the House the burden of responsibility cast on me, I feel that it is the duty of the Congress, as soon as may be, to enact into law many of the suggestions the President has submitted in his recent messages, and in the brief space of time remaining I want to refer briefly to some of them.

Too long have the people suffered from the evils of overcapitalization of carrying and industrial corporations. Every one of those corporations is organized for the purpose of trade with the public, and every dollar of watered stock issued is an unjust burden upon the public, which it has a right to protest against.

It is a familiar story how railroads have been built in this country with money secured from the investing public by the sale of the mortgage bonds of the company, and in addition there have been issued to the incorporators and promoters the stock of the company equal to or greater than the amount of the bonds for which the holders paid little, if anything, but their patrons have been called on, through unreasonable rates, to pay the interest on the bonds, provide a sinking fund for their payment, and pay dividends on the stock.

It is a familiar story how both the carrying and industrial combinations are formed and the property of the former firms and corporations exchanged for vast sums in excess of their actual value, measured in the stock of the new concern, and the people, who must eat and must be clothed and housed, are, in fact, taxed upon the necessities of life to fill the gap between the actual and fictitious values of the property and make the stock dividend paying and worth a hundred cents on the dollar. Why should Congress hesitate to enact legislation to prevent such practice in the future by all corporations engaged or to engage in interstate commerce?

With some of the greatest lawyers in the country among its membership, it can, if it will, devise and pass effective legislation along these lines within a reasonable time, and it can not escape responsibility if it does not.

The Government having of necessity under existing conditions entered upon the task of regulation and control of common carriers engaged in interstate commerce can not now stop in the middle of the stream. It must go on wherever there is actual need for further extension of regulation within the constitutional power of Congress to provide it; not in a spirit of destructiveness and not by hasty or ill-considered action, but certainly and surely, sanely and conservatively, in the interest of the people who look to the Government for the exercise of its proper powers for their protection.

As the railroads are highways of the nation, every person is entitled to use them upon equal terms with every other person and also upon reasonable terms, and the latter can not be secured in fact until the Interstate Commerce Commission has the power to initiate proceedings for the reduction of rates.

The benefits of the present law can not be obtained without great expense. Shippers and communities are to-day suffering from the imposition of unreasonable and discriminatory rates because of the expense and hardship of commencing and prosecuting a proceeding before the Commission. The State of Kansas, realizing the need of assisting its local communities to obtain just rates, has appropriated money from its treasury to assist its people in maintaining proceedings of that character before the Interstate Commerce Commission.

There should be an attorney for the Interstate Commerce Commission, with a competent corps of assistants, whose duty it should be to examine into all the complaints of unreasonable rates for interstate shipments made informally by shippers and communities, and in cases where the rates appear unreasonable he should initiate proceedings for their reduction before the Commission and maintain them at the expense of the public.

The State of Kansas has adopted this plan as to its local commission with marked success and without great expense to the State. The matter should not be and can not be fairly thrown upon the shoulders of individual persons, communities, or States. It is essentially a matter of public duty to secure for all the public at all points just and reasonable interstate rates. It will not do to give the people the shadow while withholding from them the substance. It is folly to enter upon rate making unless the power to secure evidence, and the best evidence obtainable, is made possible. Making the physical valuation of all the railroads of the country at one time, and stopping there, would be of but little evidentiary value, for the value of to-day of any given road may be wide of its value a year from now. But we should not hesitate to give the Commission power to make a physical valuation of a road whenever, in its judgment, it is deemed necessary in the exercise of its rate-making function.

The President has recommended the passage of an act requiring notice to be given before the issuance of injunction orders by the Federal courts, and to thus change the rule of practice that it is within the discretion of the court or judge whether or not notice will be given. I yield to no man in respect and admiration for the courts of this land. Every student of the law and of public affairs knows that in the chambers of the great judges, away from the turmoil and strife of both business and political warfare, the great principles of American jurisprudence have been formulated. And I assert, without fear of successful contradiction, that the courts have been the most watchful of the rights and liberties of the people and that they have been their most effective guardians. [Applause.] They have guarded them both against the assaults of the demagogue and the seeker after special privileges. Time and again they have stood between the people and the results of their own inflamed and misguided passions, and the most dangerous and despicable demagogue is the man who would seek to destroy the confidence of the public in them.

But, Mr. Chairman, there is no man so great, nor so good, learned, and wise, who can adjust the differences that arise between men upon the written affidavits of only one side to the controversy. As every lawyer is well aware, there are three kinds of injunction orders—restraining orders, temporary injunctions, and permanent injunctions. The first is issued only for the time being and to preserve the status quo until a hearing can be had to determine whether a temporary injunction should be granted. The second is issued for the purpose of restraining the commission of the act threatened to be committed during the pendency of the litigation in the court, and continues during the entire litigation unless dissolved. The third is the final judgment of the court forever prohibiting the threatened action.

It is a well-settled principle of equity that no temporary injunction will be granted if the effect of granting it is to determine the ultimate rights of the parties. But this principle often fails in practical operation if but one side is heard on the application for the temporary order, for the applicant is always convinced that he is right and will generally be able, in affidavits drawn by skillful attorneys, to make a strong showing that he is, although he may not be in fact. If the other party has no opportunity to meet the allegations of the applicant, no opportunity to cross-examine the witnesses against him, it is apparent that, no matter how just and upright the judge may be, no matter how desirous he is of doing right, the opposite party will, in many instances, be wrong.

The evil of granting injunctions without hearings is not confined to labor disputes.

There have been instances of injustice being done by both Federal and State judges by the issuance of ex parte writs in every class of cases under the jurisdiction of courts of equity. Once a temporary injunction is granted to continue during the litigation, it is often a long and expensive process to secure its dissolution, and in many instances great hardships and loss have been imposed upon the party enjoined before its dissolution is obtained.

There are instances in which restraining orders must be granted without notice, otherwise a threatened injury could be and often would be effected pending the hearing for the temporary injunction. While in a few instances the granting of a restraining order for a few days without notice would work a hardship on the party enjoined, yet the instances are very few. I can recall none, and I am certain it is the experience of every lawyer in this House that there are many occasions where the prompt action of a court of equity, by the issuance of a restraining order without notice and hearing, is absolutely indispensable to protect the rights of litigants from irreparable injury. But there have been abuses in the issuance of restraining orders in the length of time which they have been allowed to be effective.

In these days of quick transportation and ready means of communication there is absolutely no need for the life of a restraining order to be extended over one week and the Congress ought, in the case of Federal courts, restrict the effectiveness to that or some other short period and provide also that it should not issue except upon giving bond to secure the party enjoined against loss.

Mr. Chairman, not long after the establishment of this Government the leaders of political thought and action in this country divided into two distinct schools upon the question of levying a tax upon imports. One advocated the theory of levying a tax upon imports sufficient to pay the expenses of the Government and for revenue only, it being the idea of its members that the people of this country should buy their goods of every kind needed by them where they could buy cheapest, no matter where that might be. They utterly disregarded and held in contempt any attempt upon the part of the Govern-

ment, through a tax on imports, to foster and build up manufacturing industries on our own soil. With the cheap labor of Europe already in possession to a large degree of the American markets that theory meant, if carried into practice, that this country would have always remained a purely agricultural country, with no great cities and no great manufacturing industries.

The other school believed in the principle of building manufacturing industries on American soil for the benefit of American business men, American laborers, and incidentally of American agriculturists, by providing for them a stable and handy market for the products of their farms, plantations, and ranches. The object sought by the latter school was to build up American industries to the point where they could compete with the industries of every country in the world. It was never intended by any of the fathers of this school that the duty levied should be other than in truth and fact protective. They did not believe that it should be prohibitive, or even so high as to enable the American manufacturer to make more than a reasonable profit.

The Republican party, at its organization, espoused the principle of protection as one of its cardinal principles, and it adhered to the ideas of the founders of the school that protection and protection alone was the purpose of the protective tariff and that it should never be used as a means for extortion or the conferring of special privileges or unfair advantage. There has grown up among the people of this country a feeling that is so general that it can not be long disregarded by Congress, if it would do so, that the rates of the Dingley law are at this time so high in many particulars that they give to some industries the opportunity of extorting unreasonable prices for their products from the public. There is a demand that the tariff be revised, and it is universally conceded that a revision is to be made, so that the question has changed from, "Will there be a revision?" to "What kind of a revision will there be?"

Mr. Chairman, I have the honor to represent a people who will demand that it be a revision that actually revises. A mere juggling with words that works no change of the law in fact where rates are excessive will not suffice. In such cases they will ask that there be actual reduction or removal of duty entirely, according to whether the industry is in actual need of protection. The great majority of the people of the West, in common with a great majority of the people of the entire country, believe just as strongly to-day as they ever did in the past in the principle of protection, although strongly protesting against its use to enable the extortion of unreasonable profits. The greatest calamity that could occur to the country, in comparison with which all previous financial disasters would sink into insignificance, would follow the repeal of all protective duties. The person is not yet born who will see the adoption of free trade or tariff for revenue only as the settled policy of this Government.

The Democratic party, if given absolute power, would not commit that crime against the interests of every business man, workingman, and farmer in this country. It would doubtless threaten to do so, and, after the business of the country was prostrated by the unsettlement of conditions, would do as it did the last time it had unrestricted control, wind up with the passage of an act recognizing the principle of protection. We can not make it too strongly understood that if the Republican party revises the tariff it will retain the protective principle. [Applause on the Republican side.] That no industry that needs protection need fear for one moment, and that only those who, behind a tariff wall that shuts out foreign competition have been able to extort unreasonable prices need prepare for a change.

James A. Garfield, on the floor of this House, said of the Congress that in 1870 was engaged in a revision of the tariff:

The great want of industry is a stable policy, and it is a significant comment on the character of our legislation that Congress has become a terror to the business men of the country.

And, Mr. Chairman, this Congress and all succeeding ones should emphasize the fact that the settled policy of this Government toward American industries is protection without graft or unfair advantage.

When we come to the enactment of new tariff laws, it is to be hoped that provision will be made to extend the foreign markets for the products of the farms and ranches of the country. The American beef steer is to-day excluded from every European market except the United Kingdom and Belgium. There is no question but what he makes the finest meat of any animal of his kind, and that millions of the hungry of Europe who are dining upon the flesh of ancient goats and broken-down horses are anxious for the opportunity to feed upon the juicy steaks and delicious roasts that his carcass produces.

The American cattle raiser, when he takes his cattle to market, finds there just two customers, the beef trust and the exporter. The old days when competitive buyers crowded around him in the stock yards are past. If, after he sells his cattle to one whom he supposes to be a single purchaser, he drops around to the packing houses, he sees part of them in the pens of Armour & Co., a part in those of Swift & Co., and so on.

He has learned that the only competitor of the beef trust is the export buyer, and he is looking to the American Congress to provide the means to compel the removal of the barriers that keep his cattle from German, French, and other European markets.

When this Government enacted the Dingley law it placed its rates into effect at once as to every country, but provided for the negotiation of reciprocal commercial agreements whereby certain concessions might be made to nations with which an agreement could be effected.

The expected has happened. Every industry receiving the benefits of the Dingley tariff and threatened with a reduction of rate by a reciprocity treaty has been able to defeat the ratification of the treaty.

Germany enacted a new tariff law in 1902, but did not put it into effect, and, with a view of negotiating reciprocal agreements with other nations, provided that discretion should be granted the executive as to when it should be enforced. The commercial treaty existing until recently between this country and Germany was denounced by her in 1905, and notice was given that the high rates of the 1902 law would be enforced against this country on March 1, 1906. This has been avoided, however, by a temporary arrangement that was succeeded by another which will doubtless continue until after the revision of our tariff.

As is well known, Germany not alone prohibits the shipment of live cattle from this country, but also by unfair sanitary restrictions and customs regulations keeps out of her market a great many of our other meat products, and practically all the countries of Europe in some manner effect the same result.

The Western live-stock producer cries out against these things, and he will ask of the next Congress, when it comes to the revision of the tariff, that if it enacts a maximum and minimum tariff it give to the Executive the power to use the maximum rate to compel justice to him in the markets of the world, and the farmer will join him in the demand that no matter what the form of the tariff act it be of such a kind and character as can be employed to extend the markets for the grain, live stock, and other products of American farms.

Mr. Chairman, greater economic changes have occurred in this country in the last thirty years than have occurred since English civilization was planted on this continent. These changes have brought great problems for solution. They can not all be worked out in a day or a month. They are so vast, so complicated, and so vitally affect the material and political welfare of the nation that haste must be made slowly, and they call not alone for the most exalted wisdom, but they also demand the exercise of the highest statesmanship and loftiest patriotism.

The great burden of responsibility for the conduct of the affairs of this nation has rested upon the Republican party practically all the time for half a century, and that half century of American history is the grandest page in the history of any nation in the world.

Each changing condition has been met by that party under the leadership of Abraham Lincoln, Charles Sumner, Edwin M. Stanton, Ulysses S. Grant, James G. Blaine, James A. Garfield, John Sherman, and William McKinley, and other great leaders, and they have been met squarely and settled in the ways conducive to the best interests of the American people.

The old party has not lost either its patriotism or its statesmanship. It is still the one single, active, vital, moving force in American politics that has coherence sufficient among its members to enable it to carry out its pledges to the people when the responsibility of government rests upon it. It will in its next national convention mark out its programme for the ensuing four years. Its platform will be one upon which every patriotic American who loves his country and would advance its interests can stand. It will pledge justice to capital and labor, and it will do it without demagoguery and without attempt to set one class against another. It will promise a revision of the tariff along protective lines, but a revision that will mean a thorough examination into every rate and schedule. It will indorse the Administration of Theodore Roosevelt and pledge itself to maintain and continue its policies, and, as in the past, it will keep faith with the American people. [Applause.]

Mr. SMITH of Iowa. Mr. Speaker, I move that the committee do now rise.

The question was taken, and on a division (demanded by Mr. WILLIAMS) there were—yeas 90, noes 41.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. WATSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21260, the sundry civil appropriation bill, and had come to no resolution thereon.

SPECIAL MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House a message from the President of the United States, which, with accompanying papers, was referred to the Committee on the Judiciary and ordered printed:

[For message of the President see Senate proceedings of to-day.]

ENROLLED BILL SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 171. Joint resolution providing for assistance to the people of the storm-swept States of Georgia, Alabama, Mississippi, and Louisiana.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5126. An act to grant the city of Seattle, in the State of Washington, certain right of way for sewer and street purposes through and along the military reservation of Fort Lawton, Wash., and through the reservations for the Lake Washington Canal.

LEAVE OF ABSENCE.

Mr. ALLEN, by unanimous consent, was given leave of absence for four days on account of important business.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry. If I caught the utterance of the Chair a moment ago, the President's message was referred to the Committee on the Judiciary, all of it. The parliamentary inquiry is whether the President's message ought not to go to the Committee of the Whole House on the state of the Union—

The SPEAKER. The Chair examined the message quite fully.

Mr. WILLIAMS. So that the Committee of the Whole House might determine where it should go.

The SPEAKER. We get messages from the President about many matters almost daily in the ordinary transaction of business, and under the practice of the House they are referred by the Speaker to the appropriate committee. The Chair has carefully examined the message and is satisfied that there is but one matter in it that does not belong to the Committee on the Judiciary, and that is a matter touching postal savings banks, and already by many bills and messages that committee has jurisdiction of that subject.

Mr. FITZGERALD. A parliamentary inquiry.

Mr. SMITH of Iowa. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

Mr. FITZGERALD. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, and the gentleman from New York rises to a question of order.

Mr. FITZGERALD. I make the point of order that that part of the President's message referring to financial legislation and to revision of the tariff can not, under the rules of the House, be referred to the Committee on the Judiciary.

Mr. WILLIAMS. And also the part referring to the postal savings bank.

Mr. PAYNE. That point comes rather late. Since the order was made the Committee on Enrolled Bills has made a report and the gentleman from Iowa has made his motion.

Mr. WILLIAMS. Well, Mr. Speaker—

The SPEAKER. That is correct. The point of order, even if it were well taken, comes too late.

Mr. WILLIAMS. Mr. Speaker, one word, if the Chair please, before the Chair pronounces upon that—one word. The assertion is now made that the point has come too late. I leave it to the Chair if we were not trying to the very best of our ability to obtain the attention of the Chair, appealing to the Chair for its attention, before the motion was made and pending its making. Therefore, if it be too late, it has been

made too late by the action of the Speaker, and not by the action of the Members of the House, who had a right to appeal to the Speaker.

The SPEAKER. This is the situation—

Mr. WILLIAMS. Now, Mr. Speaker, I make this point of order, if I may be permitted—

The SPEAKER. But there is nothing pending about which to make a point of order.

Mr. WILLIAMS. It would be pending but for the fact that the Speaker has refused to recognize in order that it might be pending.

The SPEAKER. Let us not muddy the water by statements that gentlemen are mistaken about. The message was read, and the Chair, following the usual practice, referred—

Mr. WILLIAMS. But that is the point of order.

The SPEAKER. One moment. The Chair, following the usual practice, referred the message to the Judiciary Committee, and then the Chair laid before the House the report from the Committee on Enrolled Bills, and the report was made; and then for the first time, after other business had intervened, not on a point of order, but under the guise of a parliamentary inquiry, the gentleman rose, and we have the situation about something which is not pending. The question is on the motion of the gentleman from Iowa.

The question was taken.

Mr. PAYNE. Mr. Speaker, I desire to make a motion.

Mr. UNDERWOOD. Mr. Speaker, I demand the yeas and nays.

Mr. PAYNE. I rise for the purpose of making a motion, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, I make the point of order that the gentleman is too late under the ruling of the Chair just made.

Mr. PAYNE. But I desire to make a privileged motion.

The SPEAKER. One moment. The Chair, having in mind the gentleman from Mississippi, said as many as were in favor would say "aye," as many as were opposed would say "no," but the result of the vote was not announced, and the Chair will recognize the gentleman from New York. For what purpose does the gentleman rise?

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until to-morrow morning at 11.30 o'clock.

The SPEAKER. The gentleman from New York moves that the House do take a recess until to-morrow morning at 11.30 o'clock.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the House was dividing, and that motion is not in order.

Mr. DALZELL. But, Mr. Speaker, the House was not dividing.

The SPEAKER. The gentleman from New York makes a highly privileged motion, that the House do take a recess. The motion is highly privileged and the Chair overrules the point of order.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry—

Mr. PAYNE. Mr. Speaker, I think that is dilatory, and I do not think the House ought to be kept waiting at this hour in order to educate the gentleman from Mississippi.

The SPEAKER. The point of order is well taken.

Mr. WILLIAMS. But there is nothing more important than my education, Mr. Speaker.

The question was taken.

Mr. FITZGERALD. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The yeas and nays are demanded.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from New York that the House take a recess until to-morrow morning at 11.30 o'clock. The Clerk will call the roll.

The question was taken, and there were—yeas 137, nays 96, answered "present" 6, not voting 148, as follows:

YEAS—137.

Acheson	Chapman	Dwight	Hamilton, Mich.
Ames	Cole	Ellis, Mo.	Harding
Andrus	Cook, Colo.	Ellis, Oreg.	Haskins
Anthony	Cook, Pa.	Englebright	Haugen
Barnfield	Cooper, Pa.	Esch	Hawley
Bennet, N. Y.	Cooper, Wis.	Fordney	Hayes
Birdsall	Cousins	Foss	Henry, Conn.
Bonyne	Crumpacker	Foster, Ind.	Higgins
Brownlow	Currier	Foulkrod	Hinsbaw
Burleigh	Cushman	French	Holliday
Burton, Del.	Dalzell	Gaines, W. Va.	Howell, N. J.
Butler	Davidson	Gardner, Mich.	Howell, Utah
Calder	Davis, Minn.	Gilshams	Howland
Campbell	Dawson	Goebel	Hubbard, Iowa
Capron	Diekema	Graff	Huff
Caulfield	Draper	Greene	Hull, Iowa
Chaney	Driscoll	Gronna	Humphrey, Wash.

Jenkins	Lowden	Nye	Southwick
Jones, Wash.	McCall	Olcott	Stafford
Kahn	McGavin	Overstreet	Steenerson
Keller	McKinney	Parker, N. J.	Sterling
Kennedy, Iowa	McLachlan, Cal.	Parker, S. Dak.	Sturgiss
Kenneth, Ohio	McLaughlin, Mich.	Parsons	Sullyway
Kinkaid	McMillan	Payne	Taylor, Ohio
Knapp	McMorran	Perkins	Thistlewood
Küstermann	Madden	Pollard	Townsend
Lafena	Mann	Porter	Vreeland
Landis	Miller	Pray	Wanger
Langley	Mondell	Reynolds	Washburn
Lanning	Moon, Pa.	Rodenberg	Watson
Lawrence	Moore, Pa.	Scott	Weeks
Lindbergh	Mouser	Smith, Cal.	Wheeler
Loud	Murdock	Smith, Iowa	
Loudenslager	Needham	Smith, Mich.	
Lovering	Norris	Snapp	

NAYS—96.

Adair	De Armond	Hill, Miss.	Rainey
Adamson	Denver	Houston	Rauch
Aiken	Dixon	Hughes, N. J.	Reid
Alexander, Mo.	Favrot	Hull, Tenn.	Richardson
Ansberry	Ferris	Johnson, Ky.	Robinson
Ashbrook	Finley	Johnson, S. C.	Rothmel
Bartlett, Ga.	Fitzgerald	Jones, Va.	Rucker
Bartlett, Nev.	Flood	Kelher	Russell, Mo.
Beall, Tex.	Floyd	Kipp	Russell, Tex.
Bell, Ga.	Fornes	Kitchin, Wm. W.	Sabath
Boober	Foster, Ill.	Lamar, Mo.	Shackleford
Bowers	Fulton	Lassiter	Sheppard
Brantley	Gaines, Tenn.	Lever	Sherwood
Brumm	Garner	Lindsay	Sims
Burgess	Gill	Lloyd	Slayden
Burleson	Hackett	McDermott	Small
Burnett	Hackney	Macon	Smith, Mo.
Byrd	Hamilton, Iowa	Maynard	Smith, Tex.
Candler	Hamlin	Moon, Tenn.	Thomas, N. C.
Carlin	Hardy	Murphy	Tou Velle
Carter	Hay	Nicholls	Underwood
Clark, Mo.	Heflin	O'Connell	Watkins
Clayton	Helm	Padgett	Williams
Cox, Ind.	Henry, Tex.	Patterson	Wilson, Pa.

ANSWERED "PRESENT"—6.

Garrett	Humphreys, Miss. Lamb	McGuire
Goulden	Kimball	

NOT VOTING—148.

Alexander, N. Y.	Durey	James, Addison D.	Pujo
Allen	Edwards, Ga.	James, Ollie M.	Randell, Tex.
Bannon	Edwards, Ky.	Kitchin, Claude	Ransdell, La.
Barclay	Ellerbe	Knopf	Reeder
Bartholdt	Fairchild	Knowland	Rhinock
Bates	Fassett	Lamar, Fla.	Riordan
Beale, Pa.	Focht	Law	Roberts
Bede	Foster, Vt.	Leake	Ryan
Bennett, Ky.	Fowler	Leo	Saunders
Bingham	Fuller	Legare	Sherley
Boutell	Gardner, Mass.	Lenahan	Sherman
Boyd	Gardner, N. J.	Lewis	Siemp
Bradley	Gillespie	Lilley	Sparkman
Brodhead	Gillett	Littlefield	Sperry
Broussard	Glass	Livingston	Spight
Brundidge	Godwin	Longworth	Stanley
Burke	Goldfogle	Lorimer	Stephens, Tex.
Burton, Ohio	Gordon	McCreary	Stevens, Minn.
Caldrehead	Graham	McHenry	Sulzer
Caldwell	Granger	McKinlay, Cal.	Talbot
Cary	Griggs	McKinley, Ill.	Tawney
Clark, Fla.	Haggott	McLain	Taylor, Ala.
Cockran	Hale	Madison	Thomas, Ohio
Cocks, N. Y.	Hall	Malby	Tirrell
Conner	Hall	Marshall	Volstead
Cooper, Tex.	Hamill	Moore, Tex.	Waldo
Coudrey	Hammond	Morse	Wallace
Craig	Hardwick	Mudd	Webb
Cravens	Harrison	Nelson	Weems
Crawford	Heeburn	Olmsted	Weisse
Darragh	Hill, Conn.	Page	Wiley
Davenport	Hitchcock	Pearse	Willett
Davey, La.	Hobson	Peters	Wilson, Ill.
Daves	Howard	Pou	Wolf
Denby	Hubbard, W. Va.	Powers	Wood
Douglas	Hughes, W. Va.	Pratt	Woodyard
Dunwell	Jackson	Prince	Young

So the motion to take a recess was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. SLEMP with Mr. DAVENPORT.

Mr. LORIMER with Mr. HUMPHREYS of Mississippi.

Mr. ALEXANDER of New York with Mr. BRODHEAD.

Mr. ALLEN with Mr. SPIGHT.

Mr. BEALE of Pennsylvania with Mr. TALBOTT.

Mr. DARRAGH with Mr. BRUNDIDGE.

Mr. GILLETT with Mr. GREGG.

Mr. FULLER with Mr. GRANGER.

Mr. FAIRCHILD with Mr. GILLESPIE.

Mr. DUREY with Mr. CRAWFORD.

Mr. DOUGLAS with Mr. CRAVENS.

Mr. DENBY with Mr. COOPER of Texas.

Mr. HALL with Mr. GRIGGS.

Mr. KNOPF with Mr. HAMMOND.

Mr. KNOWLAND with Mr. OLLIE M. JAMES.

Mr. LITTLEFIELD with Mr. LAMB.

Mr. MALBY with Mr. LEE.
 Mr. MADISON with Mr. LENAHAH.
 Mr. NELSON with Mr. LEWIS.
 Mr. SPERRY with Mr. MOORE of Texas.
 Mr. THOMAS of Ohio with Mr. RANDELL of Texas.
 Mr. TIRRELL with Mr. RANDELL of Louisiana.
 Mr. VOLSTEAD with Mr. MCHENRY.
 Mr. WEEMS with Mr. SHERLEY.
 Mr. WALDO with Mr. SPARKMAN.
 Mr. WILSON of Illinois with Mr. STEPHENS of Texas.
 Mr. WOOD with Mr. SULZER.
 Mr. BEDE with Mr. WEBB.
 Mr. CALDERHEAD with Mr. CALDWELL.
 Mr. FULLER with Mr. PAGE.

For this day:

Mr. BARTHOLOTT with Mr. GORDON.

Until further notice:

Mr. BATES with Mr. GODWIN.

For the session:

Mr. BRADLEY with Mr. GOULDEN.

The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 3 minutes p. m.) the House took a recess until 11.30 a. m. to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of certain channels in the harbor of Portland, Me. (H. Doc. 896)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Chairman of the Interstate Commerce Commission, transmitting additional reports in response to the joint resolution of March 7, 1906, directing an investigation of railroad discriminations and monopolies in coal and iron (S. Doc. 450)—to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GRONNA, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9111) to permit the State of North Dakota to sell a portion of certain lands heretofore granted to it as a memorial park on the White Stone Hills battlefield, for the purpose of raising funds for improving and beautifying such park, reported the same with amendment, accompanied by a report (No. 1533), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution of the Senate (S. R. 40) to provide for the transportation by sea of material and equipment for use in the construction of the Panama Canal, reported the same with amendment, accompanied by a report (No. 1534), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAMILTON of Michigan, from the Committee on the Territories, to which was referred the bill of the Senate (S. 4712) to provide for the care of persons adjudged insane in the district of Alaska, reported the same without amendment, accompanied by a report (No. 1535), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the Senate (S. 60) for the relief of the Chicago, Peoria and St. Louis Railway Company of Illinois, reported the same without amendment, accompanied by a report (No. 1531), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8734) for the relief of Niels P. Larsen,

reported the same without amendment, accompanied by a report (No. 1532), which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3388) to correct the military record of William A. Hinsch, reported the same without amendment, accompanied by a report (No. 1536), which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 6136) authorizing the Secretary of War to issue patent to certain lands in Boise, Idaho, reported the same with amendments, accompanied by a report (No. 1537), which said bill and report were referred to the Private Calendar.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8545) for the relief of Jackson Pryor, reported the same with amendment, accompanied by a report (No. 1538), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 21252) granting a pension to August Pfefferle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 21347) granting an increase of pension to Harry L. Howe—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8389) granting an increase of pension to Henry A. Billow—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PORTER: A bill (H. R. 21349) to provide for the erection of a monument to the memory of the officers and soldiers of the American Army who lost their lives during the siege of Fort Erie in 1814—to the Committee on the Library.

By Mr. JONES of Washington: A bill (H. R. 21350) to appropriate the sum of \$5,000 as a part contribution toward the erection of a monument on Steptoe Battlefield, Whitman County, Wash.—to the Committee on the Library.

By Mr. DOUGLAS: A bill (H. R. 21351) for the purchase of a site and the erection thereon of a public building at Nelsonville, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BURTON of Delaware: A bill (H. R. 21352) to provide for the erection of a monument to mark the location of the De Vries Dutch settlement near Lewes, Del.—to the Committee on the Library.

By Mr. LAMAR of Missouri: A bill (H. R. 21353) providing for the erection of a public building at the city of Salem, in the State of Missouri—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21354) providing for the erection of a public building at the city of Marshfield, in the State of Missouri—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 21355) providing for the erection of a public building at the city of Mountain Grove, in the State of Missouri—to the Committee on Public Buildings and Grounds.

By Mr. BRADLEY: A bill (H. R. 21356) to authorize the Secretary of War to donate to the Henry Gowdy Relief Guard, of Walden, N. Y., 150 obsolete Springfield rifles with bayonets, bayonet scabbards, and ammunition belts for same—to the Committee on Military Affairs.

By Mr. LEVER and Mr. CURRIER: A bill (H. R. 21357) to acquire national forest reservations in the Southern Appalachian Mountains and the White Mountains for the conservation and improvement of the navigability of navigable streams—to the Committee on Agriculture.

By Mr. STERLING: A bill (H. R. 21358) to regulate the granting of restraining orders and injunctions—to the Committee on the Judiciary.

By Mr. PAYNE: A bill (H. R. 21359) relating to injunctions—to the Committee on the Judiciary.

By Mr. SLAYDEN: Joint resolution (H. J. Res. 172) requesting the President, on a day named in the future, to deliver the control and possession of the Philippine Islands to the authorities representing the people thereof—to the Committee on Insular Affairs.

By Mr. LAFEAN: Resolution (H. Res. 383) providing extra compensation to the messenger of the Journal clerk's room—to the Committee on Accounts.

By Mr. STEPHENS of Texas: Resolution (H. Res. 384) requesting the Secretary of the Interior to give to the House information in regard to the Shawnee Indian school at Shawnee, Okla.—to the Committee on Indian Affairs.

By Mr. HAMILTON of Michigan: Resolution (H. Res. 385) providing additional compensation to the clerk of Committee on the Territories—to the Committee on Accounts.

By Mr. HAWLEY: Concurrent resolution (H. C. Res. 38) to confirm States in possession of lands granted to them—to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 21360) granting a pension to Juan Deciderio Valdez—to the Committee on Invalid Pensions.

By Mr. BEALL of Texas: A bill (H. R. 21361) for the relief of the heirs of Mrs. Susan Gregory, deceased—to the Committee on War Claims.

By Mr. BOUTELL: A bill (H. R. 21362) granting a pension to Frank W. Reilly—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 21363) granting an increase of pension to James G. Rumbolz—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 21364) granting an increase of pension to Charles H. Wilmarth—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 21365) granting a pension to Annie C. Travers—to the Committee on Invalid Pensions.

By Mr. DAWSON: A bill (H. R. 21366) for the relief of the legal representatives of Frederick Bartemeyer—to the Committee on War Claims.

Also, a bill (H. R. 21367) granting an increase of pension to Thomas B. Rogers—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 21368) to correct the military record of Richard A. Hutson—to the Committee on Military Affairs.

By Mr. GREENE: A bill (H. R. 21369) to correct the military record of Wilson B. Strong—to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 21370) granting a pension to Mary Whermann—to the Committee on Invalid Pensions.

By Mr. HOWLAND: A bill (H. R. 21371) granting an increase of pension to William H. Wing—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 21372) granting an increase of pension to Daniel Stine—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 21373) granting a pension to Frances Turner—to the Committee on Pensions.

By Mr. LIVINGSTON: A bill (H. R. 21374) granting a pension to Mary Burns—to the Committee on Invalid Pensions.

By Mr. MCGUIRE: A bill (H. R. 21375) granting an increase of pension to John E. H. Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21376) granting an increase of pension to Marion Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21377) for the relief of W. B. Herod—to the Committee on Military Affairs.

By Mr. MCHENRY: A bill (H. R. 21378) granting a pension to Rebecca B. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21379) granting an increase of pension to James McKee—to the Committee on Invalid Pensions.

By Mr. MADISON: A bill (H. R. 21380) granting an increase of pension to Joseph W. B. McClintock—to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: A bill (H. R. 21381) to amend the record and grant an honorable discharge to David Griffin—to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 21382) granting an increase of pension to Patrick McCarrick—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 21383) granting a pension to Anna Nevin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21384) granting a pension to Margaret E. Hare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21385) granting an increase of pension to Frederick G. Hocking—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21386) granting an increase of pension to Callaway C. Nash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21387) granting an increase of pension to M. H. Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21388) granting an increase of pension to George T. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21389) granting an increase of pension to William Kraft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21390) granting an increase of pension to Howard Shelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21391) for the relief of Andrew J. Williams—to the Committee on War Claims.

Also, a bill (H. R. 21392) granting an honorable discharge to John Wilson—to the Committee on Pensions.

Also, a bill (H. R. 21393) to remove the charge of desertion standing against John E. Garrison—to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 21394) for the relief of Mary Hayden—to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 21395) granting an increase of pension to Miles P. Cook—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 21396) granting an increase of pension to Susan B. Blanchard—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 21397) for the relief of the estate of Calvin Tilley—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of A. B. Hyde, of Friendship, N. Y.; S. E. McCorkle, of Girard, Ohio; William H. Taylor Company, of Allentown, Pa., and a number of other individuals and firms, praying for the establishment of a national highways commission—to the Committee on Agriculture.

Also, memorial of the Connecticut State Board of Trade, praying for legislation to establish the Southern Appalachian Forest Reserve—to the Committee on Agriculture.

Also, memorial of the Virginia Federation of Women's Clubs, praying for the establishment of the Appalachian and White Mountains Forest Reserves—to the Committee on Agriculture.

Also, memorial of the officers of the national banks of the city of St. Louis, Mo., protesting against the passage of the so-called "Aldrich bill"—to the Committee on Banking and Currency.

Also, memorial of the St. Joseph, Mo., Clearing-House Association, protesting against the passage of the so-called "Aldrich currency bill"—to the Committee on Banking and Currency.

Also, memorial of the Pine Bluff (Ark.) Clearing-House Association, protesting against the passage of the so-called "Aldrich currency bill"—to the Committee on Banking and Currency.

Also, memorial of the Glass Bottle Blowers' Association, of Danville, Ill., protesting against the so-called "Tillman bill" (S. 2926)—to the Committee on the Judiciary.

Also, memorial of the Engineers' Union of Belleville, Ill., and the Amalgamated Association of Street Railway Employees, of East St. Louis, Ill., praying for an amendment to the Sherman antitrust law, for a limit on the issuance of injunctions, for employers' liability legislation, and for extension of the eight-hour law—to the Committee on the Judiciary.

Also, memorial of the Hinton, W. Va., Brotherhood of Locomotive Firemen and Enginemen, praying for the passage of employers' liability law, an injunction law, and a free-pass law—to the Committee on the Judiciary.

Also, memorial of the Bill Posters' Union of Springfield, Mass., and of the Haverhill (Mass.) Shoe Council, praying for an amendment to the Constitution to enable women to exercise the right of suffrage—to the Committee on the Judiciary.

Also, memorial of the United Mine Workers of Dewey Station, Ill., praying for the modification of the Sherman antitrust law, for legislation to limit the issuance of injunctions, for an employers' liability law, and for the extension of the eight-hour system—to the Committee on the Judiciary.

Also, memorial of the Polish-American citizens of Thomas County, Kans., praying for intervention in behalf of the Polish people residing in the jurisdiction of the Prussian government—to the Committee on Foreign Affairs.

Also, memorial of the Polish citizens of Schenectady, N. Y., praying for intervention in behalf of the Polish people within the jurisdiction of the Prussian government—to the Committee on Foreign Affairs.

Also, memorial of the citizens of Polish descent of Natrona, Pa., praying for intervention on behalf of the Polish people within the jurisdiction of the Prussian government—to the Committee on Foreign Affairs.

Also, memorial of the Chicago-Odontographic Society of Chicago, Ill., praying for legislation to permanently secure dentists for the service of the Army and Navy—to the Committee on Military Affairs.

Also, memorial of the Northern Illinois Dental Association, praying for legislation to permanently secure the services of dentists in the Army and Navy of the United States—to the Committee on Military Affairs.

Also, memorial of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of South Glens Falls, N. Y., protesting against the removal of the duty on paper and pulp—to the Committee on Ways and Means.

Also, memorial of James Bowman, of Oak Lodge, Okla., praying for legislation to prevent the employment of children in factories and mines—to the Committee on Mines and Mining.

Also, memorial of the Columbia Damen Club, of Chicago, Ill., praying for legislation to prevent the employment of children in factories and mines—to the Committee on Mines and Mining.

Also, memorial of the National Funeral Directors' Association of the United States, praying for legislation to abolish the custom of sea burials—to the Committee on the Merchant Marine and Fisheries.

By Mr. ANTHONY: Petition of labor unions of Leavenworth, Kans., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. AIKEN: Petition of W. J. Smith and others, of Columbia, S. C., for amendment to the Sherman Act of 1890, excluding labor organizations from its provisions—to the Committee on the Judiciary.

By Mr. BEALL of Texas: Paper to accompany bill for relief of heirs of Mrs. Susan Gregory—to the Committee on War Claims.

By Mr. BOUTELL: Petition of Chicago Federation of Labor, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BRADLEY: Petition of Branch No. 1, of Newburgh, N. Y., Amalgamated Lace Operators of America, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BURLLEIGH: Petition of Lisborn Falls Mill Workers' Union, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

Also, petition of John Dority Grange, of Sullivan, Me., for a national highways commission and Federal aid in construction of public highways—to the Committee on Agriculture.

By Mr. BURTON of Ohio: Petition of Florence M. Robinson and others, to suspend the third section of the service-pension act of February 6, 1907—to the Committee on Invalid Pensions.

By Mr. CALDWELL: Petition of citizens of Staunton and Springfield, Ill., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CARLIN: Paper to accompany bill for relief of Annie C. Travers—to the Committee on Invalid Pensions.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CHANEY: Paper to accompany bill for relief of Henry Bradfield—to the Committee on Invalid Pensions.

Also, petition of Sherman G. Jones and others, of Bedford, Ind., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petition of Clearing-House Association of Jacksonville, Fla., against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Board of Trade of Jacksonville, Fla., approving the course of American delegates to the last conference at The Hague—to the Committee on Foreign Affairs.

Also, petition of citizens of Miami, Fla., for a survey for an inside water route from Beaufort, S. C., to Key West, Fla.—to the Committee on Rivers and Harbors.

By Mr. COUDREY: Petition of citizens of St. Louis, Mo., for amendment to Sherman antitrust law (H. R. 20584) and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Industrial Lodge, No. 21, Brotherhood of Locomotive Firemen, of St. Louis, indorsing H. R. 19795, for

automatic ash pan on engines—to the Committee on Interstate and Foreign Commerce.

Also, petition of Journeymen Barbers' Local Union No. 102, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. CRAWFORD: Petition of citizens of Asheville, N. C., for amendment to Sherman antitrust law, for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of Building Association League of Pennsylvania, for amendment of H. R. 18525 so as to exempt from its operations building and loan associations that loan to their members only—to the Committee on Ways and Means.

By Mr. DAWES: Petition of Marietta, Ohio, Trades and Labor Assembly, for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. DENVER: Petition of Ohio general assembly of national health bureau, for legislation creating a national bureau of health—to the Committee on Interstate and Foreign Commerce.

By Mr. DUREY: Petition of Central Trades and Labor Assembly of Corinth, N. Y., against repeal of the duty on wood pulp—to the Committee on Ways and Means.

By Mr. FLOYD: Paper to accompany bill for relief of William Cruft—to the Committee on Invalid Pensions.

By Mr. FULTON: Petition of legislature of Oklahoma, for appropriation to make navigable the tributary rivers of the Mississippi—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: Petition of Morris Friedman, for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of workingmen of the Eighteenth Congressional District of New York, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of American Paper and Pulp Association, of New York City, against removal of duty on wood pulp and paper—to the Committee on Ways and Means.

By Mr. GREENE: Paper to accompany bill for relief of Wilson B. Strong—to the Committee on Military Affairs.

By Mr. GRONNA: Petition of Twin City Implement, Vehicle, and Hardware Club, of Minneapolis, Minn., for an amendment to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. HARDWICK: Petition of Boiler Makers' Union No. 108, of Augusta, Ga., for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. HASKINS: Petition of citizens of Vermont, organized laborers, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. HAYES: Petition of Labor Council of San Francisco, Cal., favoring H. R. 19745 (the Hepburn amendment to the Sherman antitrust law)—to the Committee on the Judiciary.

Also, petition of citizens of California, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petitions of Newington Grange and Tunis Grange, of Connecticut, for the creation of a national highways commission (H. R. 15837) and appropriation for Federal assistance in construction of public highways—to the Committee on Agriculture.

By Mr. HINSHAW: Paper to accompany bill for relief of Elias Dildmore—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: Petition of citizens of Paterson, N. J., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. HULL of Iowa: Petition of many citizens of Des Moines, Iowa, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. OLLIE M. JAMES: Petition of citizens of Mayfield, Ky., for amendment to Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour law—to the Committee on the Judiciary.

By Mr. JOHNSON of Kentucky: Paper to accompany bill for relief of J. W. Whallen—to the Committee on Military Affairs.

By Mr. KAHN: Petition of San Francisco Labor Council, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. KELIHER: Petition of Building Laborers and Excavators' Union of Boston, Mass., for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petition of City Club of Chicago, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Laborers, Excavators, and Rockmen's Union, No. 11670, American Federation of Labor, of Boston, Mass., against prohibition for the District of Columbia—to the Committee on the District of Columbia.

By Mr. KNAPP: Petition of wage-earners of Watertown, N. Y., for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. KÜSTERMANN: Petition of Cigar Makers' Union, No. 162, of Green Bay, Wis., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. LAFEAN: Paper to accompany bill for relief of Daniel Stine—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: Petition of citizens of Atlanta, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. LOUD: Petition for the creation of a national highways commission (H. R. 15837)—to the Committee on Agriculture.

By Mr. LOWDEN: Petition of labor organizations of Dixon, Ill., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petitions of Frank Pennington, of Woodbury, N. J., and J. Howard Byrd, Andrew J. Turner, Harry Crist, and C. A. Marsh, of Williamstown, N. J., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. MCKINNEY: Petitions of citizens of Rock Island, Moline, and Watertown, Ill., and Davenport, Iowa, for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. MALBY: Petition of Port Henry (N. Y.) Grange, in favor of H. R. 15837, for a national highways commission and appropriation giving Federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

Also, petition of residents of the Twenty-sixth New York District, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Petition of working people of Tracy City, Tenn., for amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Petition of Philadelphia Coal Exchange, favoring H. R. 18349, providing for the purchase of the pneumatic mail-tube system in the city of Philadelphia—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Building Association League of Pennsylvania, for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. MOUSER: Petitions of citizens of Bucyrus and Clyde, Ohio, and Coopers' Union No. 11, of Sandusky, Ohio, for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petitions of citizens of Gallon and Sandusky, Ohio, for amendment to Sherman antitrust law, the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

By Mr. NYE: Petition of committee on organized labor, of Minneapolis, for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of Building Laborers, Excavators, and Rockmen's Union 1167, American Federation of Labor, for H. R. 20584, amendment to Sherman antitrust law; for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. OVERSTREET: Petition of Royal Brewing Company, of Kansas City, Mo., opposing passage of the Knox liquor bill (S. 6576)—to the Committee on the Judiciary.

By Mr. PERKINS: Petition of citizens of the State of New York, for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. PORTER: Petition of citizens of Niagara Falls, N. Y., for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

Also, petition of Board of Trade of Niagara Falls, N. Y., against removal of duty on wood pulp—to the Committee on Ways and Means.

By Mr. RAINEY: Petition of Duquoin, Ill., Central Labor Union, favoring restricted immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBERTS: Petition of citizens of Malden, Mass., for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of residents of the Twenty-seventh District of New York, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SMITH of Missouri: Petition of Machinists' Local Union No. 135, of De Soto, Mo., and Graniteville, Mo., citizens, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. SPERRY: Petition of the Hartford Business Men's Association, of Hartford, Conn., for forest reservations in White Mountains and Southern Appalachian Mountains (H. R. 10457)—to the Committee on Agriculture.

Also, petition of citizens of New Haven, Meriden, and Waterbury, Conn., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. STERLING: Petitions of citizens of Pontiac, Ill., and Bloomington and Normal, Ill., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. SULZER: Petition of Merchants' Association of New York, against Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of the Royal Brewing Company, of Kansas City, against the Knox liquor bill (S. 6576)—to the Committee on the Judiciary.

Also, petition of Mergenthaler Linotype Company, against H. R. 15835 and 17869, proposing radical changes in the patent law—to the Committee on Patents.

Also, petition of Edward P. Moran, Words and Music Club, for legislation in copyright cases favorable to musical composers—to the Committee on Patents.

Also, petition of Association for Protection of the Adirondacks, praying for legislation and modification of the Sherman antitrust law, for employers' liability law, for limitation on injunction, and for the extension of the eight-hour law—to the Committee on the Judiciary.

Also, petition of Merchants' Association of New York, for the Fowler currency bill—to the Committee on Banking and Currency.

Also, petition of Gulf Refining Company, of Pittsburg, Pa., for an embargo on Venezuelan asphalt—to the Committee on Ways and Means.

By Mr. VREELAND: Petition of citizens of Olean, for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

Also, petition of International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Morrisonville and Palmer, N. Y., against removal of duty on wood pulp—to the Committee on Ways and Means.

By Mr. WALLACE: Petition of New London Local Union, No. 289, relative to legislation against all kinds of dealings in futures relative to farm products—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: Petitions of Frank Pennypacker and 12 other citizens of Royersford and Spring City, Pa., and William A. Carl, Adam C. Krauss, and John H. Nase, and Cigar Makers' Union No. 232, of Sellersville, Pa., for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law and bill limiting a day's labor to eight hours upon work done for the Government—to the Committee on the Judiciary.

Also, petition of Ringing Rocks Lodge, No. 665, Brotherhood of Railway Trainmen, of Pottstown, Pa., favoring H. R. 19795 and S. 6320—to the Committee on Interstate and Foreign Commerce.

Also, petition of City Club of Chicago, for H. R. 10457, for forest reservation in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. WASHBURN: Petition of citizens of Worcester, Mass., and Local No. 96, International Brotherhood of Electrical Workers of America, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. WEISSE: Petition of Wisconsin Retail Lumber Dealers' Association, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS: Paper to accompany bill for relief of estate of Calvin Tilley—to the Committee on War Claims.

By Mr. WILSON of Pennsylvania: Petitions of Division No. 24, Order of Railway Telegraphers, of Lock Haven and McElhattan, Pa., and Keystone Lodge, No. 33, International Association of Car Workers, of Vilas, Pa., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. WOOD: Petitions of R. D. Milnor, G. C. Milnor, and William D. Milnor, of Lambertville, N. J.; Rubber Workers' Union, No. 12420, American Federation of Labor, of Lambertville, N. J., and Sanitary Pressers' Association, of Trenton, N. J., and others, for amendment to Sherman antitrust law, for the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

SENATE.

WEDNESDAY, April 29, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

S. 5126. An act to grant the city of Seattle, in the State of Washington, certain rights of way for sewer and street purposes through and along the military reservation of Fort Lawton, Wash., and through the reservations for the Lake Washington Canal;

H. R. 12773. An act granting to the city of Woodward, in the State of Oklahoma, lot 2, in block 48, for park and other public purposes; and

H. J. Res. 171. Joint resolution providing for assistance to the people of the storm-swept States of Georgia, Alabama, Mississippi, and Louisiana.

PETITIONS AND MEMORIALS.

Mr. PLATT presented a petition of North Side Republican Club, of New York City, N. Y., praying for the enactment of legislation to improve the present currency system, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens and local labor organizations of Brooklyn, Buffalo, Geneva, Mineville, New York City, Olean, Schenectady, and Troy, all in the State of New York, praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. DEPEW presented a petition of the Merchants' Association of the State of New York, praying for the appointment of